

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1347000-0

Total Deleted Page(s) = 33

Page 4 ~ Referral/Consult;
Page 6 ~ Referral/Consult;
Page 38 ~ Referral/Consult;
Page 40 ~ Referral/Consult;
Page 41 ~ Referral/Consult;
Page 42 ~ Referral/Direct - 44-HQ-66042 Serial 9/DOJ Civil Rights
Division;
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FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1161786-2

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FBI

Date: 8/27/75

Transmit the following in _____
(Type in plaintext or code)

Via A I R T E L _____
(Priority)

Assoc. Dir. _____
Dep.-A.D.-Adm. _____
Dep.-A.D.-Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

TO: DIRECTOR, FBI
FROM: SAC, ALEXANDRIA (44-183)(P)
RICHARD HELMS. AND OTHERS;
[REDACTED] VICTIMS
CIVIL RIGHTS

b3 per CIA
b6 per CIA & FBI
b7C per FBI

ReBuairtel to Alexandria dated 8/26/75, with copy of self-explanatory Departmental letter dated 8/14/75, and Departmental file memorandum dated 8/13/75 attached; Alexandria telephone call to Bureau and return call to Alexandria, 8/27/75.

Enclosed for WFO is one copy of the above-described documents.

EX 104

REC-20

44-66042-2

[REDACTED] Office of General Counsel, CIA, McLean, Virginia, who is mentioned in referenced Departmental letter, on 8/27/75, advised that RICHARD OBER, a current CIA employee detailed to the White House is on the personal staff of [REDACTED]

b3 per CIA
b6 per CIA & FBI
b7C per FBI

[REDACTED] U. S. Air Force. According to [REDACTED] [REDACTED] has requested of him that prior to any interview of OBER by the FBI that he, [REDACTED] be furnished the names of the WFO interviewing Agents so that appropriate arrangements can be made.

②-Bureau
2-WFO (Enc. 2)
1-Alexandria
ECR:krl
(5)

3 AUG 28 1975

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5-8-01 BY 4026

TICKET

new/BCE/DK to go

Approved: 54 26K/564
Special Agent in Charge

Sent _____ M Per _____

AX 44-183

Pursuant to FBIHQ telephone call to WFO this date, the names of SAs RICHARD W. HOUSTON and GEORGE E. SAUNDERS, White House liaison representatives, were furnished [redacted] who requested that any interview of OBER be held in abeyance until such time as [redacted] [redacted] has been made cognizant of the above. At that time [redacted] will advise this office.

b3 per CIA
b6 per CIA & FBI
b7C per FBI

AIRTEL

9/3/75

To: SAC, Alexandria

From: Director, FBI

1 - Mr. Peelman

1 - [REDACTED]

b6 per FBI
b7C

RICHARD HELMS, FORMER DIRECTOR,
CENTRAL INTELLIGENCE AGENCY;
MURRAY KUTNER, CHIEF OF POLICE,
FAIRFAX, VIRGINIA, AND OTHERS;

[REDACTED] VICTIMS
CIVIL RIGHTS

b3 per CIA
b6 per CIA & FBI
b7C per FBI

ReBuairtel 8/26/75.

ReBuairtel advised that information had been received from the Department to the effect that former CIA Director Richard Helms had been interviewed by Departmental attorneys and had reportedly acknowledged he approved the break-in at victim's studio.

Additional details concerning the discussion between Helms of this break-in have been received from the Civil Rights Division and are quoted as follows for your investigative assistance:

"Helms said he was unaware of two of the break-ins which he heard about, but both involved employees, but he was aware of the [REDACTED] break-in. He said it was done under the authority of the statutory charge to the agency to protect sources and methods relating to intelligence. The Office of Security does most of these things which was headed by Osborne, and before him Robert Bannerman.

b3 per CIA
b6

MAILED 23
SEP 3 1975
FBI

MCT-15 REC-29

CH 38

19 SEP 4 1975
SEP 4 1975

JJB:bap (5)

NOTE: See Peelman to Gallagher memo, 9/3/75, captioned as above.

SEP 29 1975

MAIL ROOM ☐ TELETYPE UNIT ☐

Airtel to SAC, AX
RE: RICHARD HELMS

[] was a former employee who was attempting to elicit information from employees and who was living with a Cuban who was suspected of being an agent of Cuban intelligence. They wanted to find a diary which an informant said he kept. Helms was consulted and he said to go ahead with the entry, but do it only when no one was there. He doesn't know who did the entry, but they went to the Chief of Police of Fairfax and he accompanied them. He said he was asked by Sen. Pastore in a closed hearing why he didn't get a search warrant, and he said so they wouldn't tip off the subject to the investigation.

b3 per CIA
b6

Helms said he never gave any instruction on surreptitious entries. These things should be viewed in perspective of development since 1950's.

Helms asked Huston (an apparent reference to former CIA General Counsel Lawrence Huston who was present during Helms' interview) if he knew of any other entries and Huston said he didn't and didn't know of these until recently.

Helms suggested Robert Bannerman could tell more about this.

Helms said The Office of Security would make ad hoc decisions about whether to seek the Director's approval."

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SEP 1 1975
TELETYPE

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

NR 004 AX CODE

1010PM NITEL SEPT. 10, 1975 VAN

TO: DIRECTOR
(ATTENTION: CIVIL RIGHTS DIVISION)

FROM: ALEXANDRIA (44-183) (P)

~~SECRET~~

RICHARD HELMS AND OTHERS; [REDACTED]

[REDACTED] - VICTIMS, CIVIL RIGHTS.

REFERENCE BUREAU AIRTEL TO ALEXANDRIA, AUGUST 26, 1975.

ON AUGUST 27, 1975, [REDACTED], ASSISTANT

GENERAL COUNSEL, CENTRAL INTELLIGENCE AGENCY (CIA), WAS ADVISED OF THIS INVESTIGATION. HE WAS AWARE OF IT SINCE CIA HAD RECEIVED A LETTER AUGUST 14, 1975, FROM THE CIVIL RIGHTS DIVISION, UNITED STATES DEPARTMENT OF JUSTICE ADVISING THAT DEPARTMENT HAD REQUESTED FBI TO CONDUCT INVESTIGATION. [REDACTED]

STATED HE DESIRED THAT FBI COORDINATE THE INTERVIEWS OF BOTH CURRENT AND

REC-41

44-66042-4

FORMER CIA EMPLOYEES THROUGH HIS OFFICE SINCE HIS OFFICE INTENDED THAT ALL CIA INDIVIDUALS INVOLVED BE CONTACTED PRIOR TO INTERVIEW BY THE FBI, AT WHICH TIME AN ATTEMPT WOULD BE MADE TO OBTAIN PRIVATE COUNSEL FOR THEM IF THEY DESIRED REPRESENTATION.

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 10-01-2015 BY: F54M93K42

SEP 16 1975
SEP 16 1975

b3 per CIA
b6 per CIA & FBI
b7C per FBI

b3 per CIA
b6

5 SEP 30 1975

59 SEP 3 1975

PAGE TWO

(AX 44-183)

~~SECRET~~

ON SEPTEMBER 10, 1975, [REDACTED] MADE AVAILABLE A LIST OF ELEVEN FORMER EMPLOYEES OF CIA, NOW RETIRED. ONE IS DECEASED. [REDACTED]

b3 per CIA
b6

[REDACTED] AIRTEL LEADS WERE SET OUT TO HAVE THESE INDIVIDUAL INTERVIEWED ON SEPTEMBER 10, 1975. [REDACTED] ADVISED THAT [REDACTED] (NUMBER 40 ON THE DEPARTMENT OF JUSTICE LIST) HAS RESIGNED FROM CIA AND IS BELIEVED TO BE CURRENTLY EMPLOYED BY THE DEPARTMENT OF JUSTICE.

AS OF SEPTEMBER 10, 1975, CIA HAS NOT MADE AVAILABLE ANY CURRENT EMPLOYEES FOR INTERVIEW.

ON SEPTEMBER 3, 1975, CHIEF LEONARD P. KLINE, FAIRFAX, VIRGINIA, POLICE DEPARTMENT WAS APPRISED OF THIS INVESTIGATION AND AN APPOINTMENT WAS SET UP TO INTERVIEW HIM ON SEPTEMBER 5, 1975. CHIEF KLINE ADVISED THAT FORMER CHIEF OF POLICE KUTNER IS RETIRED AND LIVING IN ST. PETERSBURG, FLORIDA. FORMER CHIEF OF DETECTIVES KARL BUCHHOLTZ IS RETIRED AND LIVING IN STAUNTON, VIRGINIA. AIRTEL LEADS TO HAVE THESE INDIVIDUALS

INTERVIEWED WERE SET OUT ON SEPTEMBER 5, 1975.

CHIEF KLINE REPORTED THERE IS NO [] EMPLOYED BY THE FAIRFAX, VIRGINIA, POLICE DEPARTMENT. HE STATED THE [] IS [] AND HE WOULD MAKE HIM AVAILABLE FOR INTERVIEW.

b6 per FBI
b7C

ATTORNEY [] FAIRFAX, VIRGINIA, TELEPHONICALLY ADVISED SEPTEMBER 4, 1975, THAT HE IS THE [] [] AND THAT HE DESIRED TO BE PRESENT DURING INTERVIEWS OF CHIEF KLINE AND []. HE STATED THAT HE DESIRED THESE INTERVIEWS BE CONDUCTED ON SEPTEMBER 10, 1975.

b6 per FBI
b7C

ON SEPTEMBER 10, 1975, CHIEF KLINE WAS INTERVIEWED IN THE PRESENCE OF ATTORNEY [] AND CHIEF KLINE STATED THAT ON ADVICE OF [] HE WOULD DECLINE TO MAKE ANY STATEMENT CONCERNING THIS MATTER AT THIS TIME.

b6 per FBI
b7C

[] WAS IN COURT ON SEPTEMBER 10, 1975, AND ATTORNEY [] ADVISED THAT HE WOULD HAVE [] CONTACT ALEXANDRIA OFFICE ON SEPTEMBER 12, 1975.

b6 per FBI
b7C

ATTORNEY [] ADVISED THAT HE HAS BEEN GRANTED AUTHORITY TO REPRESENT KUTNER AND BUCHHOLTZ, IF THEY SO DESIRE. []

b3 per CIA
b6 per CIA & FBI
b7C per FBI

PAGE FOUR

(AX 44-183)

~~SECRET~~

ADVISED ON AUGUST 27, 1975, THAT RICHARD OBER IS A CURRENT
CIA EMPLOYEE DETAILED TO THE WHITE HOUSE ON THE PERSONAL
STAFF OF [REDACTED] UNITED STATES
AIR FORCE. CIA REQUESTED IDENTITY OF AGENTS WHO WOULD INTERVIEW
OBER SO THAT THEIR NAMES COULD BE FURNISHED TO [REDACTED].
THIS INFORMATION WAS FURNISHED TO CIA ON AUGUST 27, 1975.
ON SEPTEMBER 10, 1975, CIA STATED THAT THESE NAMES HAD BEEN
FURNISHED TO [REDACTED] AND THAT FBI COULD PROCEED WITH THE
INTERVIEWS. WFO WAS APPRISED OF THIS ON SEPTEMBER 10, 1975.

b6 per FBI
b7C

ALEXANDRIA WILL EXPEDITIOUSLY CONDUCT REMAINING
INVESTIGATION.

~~CLASSIFIED BY 3695, XGDS 2, INDEFINITE.~~

END

LSG FBIHQ ACK FOR ONE AND HOLD

/11/75

GENERAL INVESTIGATIVE DIVISION

This is the matter wherein the Civil Rights Division (CRD) requested we conduct a limited investigation into a surreptitious entry by CIA at the Roland Studios, Fairfax, Virginia, on 2/20/71. The investigation was approved by the Director and has been initiated by the Alexandria Office.

The attached teletype reports the current status of investigation. Pursuant to instructions from the CRD we are working with the CIA General Counsel to set up interviews of current employees. CIA has also identified personnel involved who have retired and Alexandria has set out necessary leads to auxiliary offices. One subject is deceased.

Fairfax Chief of Police, Leonard P. Kline, declined to make any statement upon advice of attorney.

Alexandria is preparing a report which will be promptly submitted to the Bureau and disseminated to the CRD.

- 1 - Mr. Callahan
- 1 - Mr. Adams
- 1 - Mr. Wannall
- 1 - Mr. Moore

JJB:pdh

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-01-2015 BY F54M93K42 ADG

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BALTIMORE	OFFICE OF ORIGIN ALEXANDRIA	DATE 9/16/75	INVESTIGATIVE PERIOD 9/15-16/75
TITLE OF CASE RICHARD HELMS, AND OTHERS; <div style="border: 1px solid black; width: 150px; height: 20px; display: inline-block;"></div> VICTIM		REPORT MADE BY SA <div style="border: 1px solid black; width: 100px; height: 15px; display: inline-block;"></div>	TYPED BY b6 per FBI b7C
		CHARACTER OF CASE CIVIL RIGHTS	b3 per CIA - b6 per CIA & FBI b7C per FBI

REFERENCES:

Alexandria airtel to the Bureau, 9/10/75, with enclosure.

- P -

ADMINISTRATIVE DATA:

Interviewees advised this investigation being conducted at specific request of United States Department of Justice.

LEADS:

BALTIMORE DIVISION

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED GTQ	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE:		

② Bureau
2-Alexandria (44-183)
2-Baltimore (44-1208)

44-66092-5

REC-36

22 SEP 16 1975
SEP 17 1975

McDONOUGH

ST

DATA PROC

Notations

A

Dissemination Record of Attached Report

Agency	1st CRD		
Request Recd.			
Date Fwd.	9-18-75		
How Fwd.	0-70(B)		
By	STB		

57001

1315

027

COVER PAGE

EXP. PROC.

BA 44-1208

b3 per CIA
b6

AT [REDACTED]

Will contact [REDACTED] and [REDACTED] respectively on or about 10/1/75 if they have not contacted the FBI by that date.

B*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation

Copy to:

Report of:

SA [REDACTED]

Office: BALTIMORE

b6 per FBI

Date:

SEPTEMBER 16, 1975

b7C

Field Office File #:

44-1208

Bureau File #:

Title:

RICHARD HELMS,
AND OTHERS;

[REDACTED]

VICTIM

b3 per CIA

b6 per CIA & FBI

b7C per FBI

Character:

CIVIL RIGHTS

Synopsis:

[REDACTED]
[REDACTED] and [REDACTED]
[REDACTED] were contacted on 9/16/75 and 9/15/75
respectively, and stated they did not wish to discuss this
matter with the FBI until they had first discussed it with
their attorneys.

b3 per CIA

b6

- P -

DETAILS:

On September 15, 1975, [REDACTED]
[REDACTED] telephone number [REDACTED], was
contacted and advised he did not wish to discuss this matter
with the Federal Bureau of Investigation, (FBI), until he
consulted his attorney. He will contact the FBI once he has
discussed it with his attorney.

b3 per CIA

b6

On September 16, 1975, [REDACTED]
[REDACTED] telephone
number [REDACTED], advised that he did not wish to discuss
this matter until he consulted an attorney concerning the
legal aspect. He noted that he had to go out of town
for one week starting on this date on personal business and
would consult an attorney on his return from [REDACTED]
[REDACTED]. He, thereafter, will contact the FBI.

b3 per CIA

b6

FBI

Date: 9/5/75

Transmit the following in _____
(Type in plaintext or code)Via Airtel _____
(Priority)

Assoc. Dir. _____
 Dep.-A.D.-Adm. _____
 Dep.-A.D.-Inv. _____
 Asst. Dir.: _____
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Insp. _____
 Intell. _____
 Lab. _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Telephone Rm. _____
 Director Sec'y _____

TO: DIRECTOR, FBI
 FROM: SAC, ALEXANDRIA (44-183) (P)
 RICHARD HELMS, AND OTHERS;
 [REDACTED] VICTIMS
 CIVIL RIGHTS

b3 per CIA
 b6 per CIA & FBI
 b7C per FBI

Re Alexandria airtel to Bureau, 9/3/75.

For the information of the Bureau and receiving offices. Attorney [REDACTED]

[REDACTED] for the city of Fairfax, Virginia, telephonically advised SA CODY HEBER SMITH on 9/4/75, that this investigation had been discussed with him by Chief of Police LEONARD P. KLINE, Fairfax, Virginia, Police Department. [REDACTED] advised that he had been granted authority by the city of Fairfax to represent former police officials MURRAY KUTNER, former Chief of Police and CARL W. BUCHHOLZ, former Chief of Detectives, both of whom have retired. He stated that he would probably be in touch with them for a discussion of this matter prior to their approach by FBI agents.

b6 per FBI

b7C

This information is being furnished Richmond and Tampa in view of leads set out in referenced airtel for Richmond to interview CARL W. BUCHHOLZ and Tampa to interview MURRAY KUTNER.

- ② - Bureau
 2 - Richmond
 2 - Tampa
 1 - Alexandria
 CHS:ljb
 (7)

EX 103

REC 68

44-66042

SEP 19 1975

Approved: [Signature]
 Special Agent in Charge

Sent _____ M Per _____

56 OCT 03 1975

AX 44-183

[] did not indicate whether or not he intends to advise the police officials to make a statement or to remain silent concerning their activities in connection with this investigation.

b6 per FBI
b7C

For the information of the Bureau, arrangements had previously been made to interview Major LEONARD P. KLINE, Chief of Police, Fairfax City, Virginia, Police Department, at 9:30 AM on Friday, 9/5/75. [] advised that he has to make a court appearance on 9/5/75, and he requested that the interview with Major KLINE be postponed until Wednesday, 9/10/75, and he stated that he intends to be present at the time of this interview. [] was advised that the FBI will interview [] Fairfax City Police Department, in connection with this matter also.

b6 per FBI
b7C

[] requested the name of the U. S. Attorney handling this matter and stated that he desired to discuss this matter with him. [] was advised that this investigation was being handled by a Departmental attorney from the Criminal Division of the U. S. Department of Justice and he was furnished Departmental Attorney [] name by SA CODY HEBER SMITH.

b6 per FBI
b7C

The Bureau will be kept apprised of any further developments in this case.

F B I

Date: 9/10/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: SAC, ALEXANDRIA (44-183) (P)

RICHARD HELMS AND OTHERS;

[REDACTED] - VICTIMS

CIVIL RIGHTS

b3 per CIA
b6 per CIA & FBI
b7C per FBI

Re Alexandria airtel to Bureau 8/27/75; and Alexandria telcall to WFO 9/10/75.

[REDACTED] Office of General Counsel, CIA, McLean, Virginia, advised SA EDWARD C. RUDIGER on 9/10/75 that [REDACTED] USAF, had been furnished the names of the prospective interviewing agents, and that the interview of RICHARD OBER could be conducted.

b3 per CIA
b6 per CIA & FBI
b7C per FBI

This information was furnished to SA RICHARD W. HOUSTON on 9/10/75 by SA CODY HEBER SMITH.

LEAD:WFO

AT WASHINGTON, D. C. Will interview RICHARD OBER
at the White House.

REC 68

44-66042-7

21 SEP 19 1975

2 - Bureau
2 - WFO
2 - Alexandria
CHS:smb
(6)

Approved: [Signature]

Special Agent in Charge

Sent _____

M

Per _____

56 OCT 03 1975

FBI

Date: 9/10/75

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL _____
(Priority)

Dep. A. & Adm. _____
Dep. A. D. In. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affs. _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

TO: DIRECTOR, FBI
FROM: SAC, ALEXANDRIA (44-183) (P)
RICHARD HELMS AND OTHERS;
[REDACTED] - VICTIMS
CIVIL RIGHTS

b3 per CIA
b6 per CIA & FBI
b7C per FBI

Re Buairtel to Alexandria 8/26/75. (U)

Enclosed for Baltimore, Cincinnati, and Philadelphia,
are two copies of referenced airtel. (U)

Enclosed for Bureau and all receiving offices are
two copies of ancover memorandum and a list of names of
eleven former employees of CIA who are now retired. This
list was furnished to Alexandria by CIA on 9/10/75. (U)

For the information of the Bureau, it is noted that
the last person on list, [REDACTED] died on 5/13/75. (U)

b3 per CIA
b6

CLASSIFIED BY 3695
EXEMPT FROM GDS, CATEGORY 2
DATE OF DECLASSIFICATION: INDEFINITE
REC 68 44-66042-8

ENCLOSURE ATTACHED

ENCLOSURE

- 2- Bureau (Enc. 2)
2- Baltimore (Enc. 4)
2- Cincinnati (Enc. 4)
2- Philadelphia (Enc. 4)
2- Richmond (Enc. 2)
2- WFO (Enc. 2)
2- Alexandria
CHS:smb
(14)

21 SEP 13 1975

CONFIDENTIAL
CONFIDENTIAL

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

5600103 1075

~~SECRET~~

AX 44-183

All offices are requested to submit results of investigation in report form to Bureau, with copy to Alexandria. (U)

Buded: 9/17/75.

Please expedite.

LEADS:

BALTIMORE

[redacted] Will interview [redacted]
[redacted] (S) (U)

b3 per CIA
b6

[redacted] Will interview [redacted]
[redacted] (S) (U)

CINCINNATI

[redacted] Will interview [redacted]
[redacted] (S) (U)

b3 per CIA
b6

RICHMOND

[redacted] Will interview [redacted]
[redacted] (S) (U)

b3 per CIA
b6

PHILADELPHIA

[redacted] Will interview [redacted]
[redacted] (S) (U)

b3 per CIA
b6

WFO

[redacted] Will determine if [redacted]
[redacted] is employed by the U. S. Department of Justice. (S) (U)

b3 per CIA
b6

2. If [redacted] is employed by U. S. Dept. of Justice in WDC, will interview him concerning this matter. (S) (U)

~~CONFIDENTIAL~~

~~SECRET~~

AX 44-183

ALEXANDRIA

[redacted] Will interview HOWARD J. OSBORN,
[redacted] (~~S~~) (U)

[redacted] 2. Will interview [redacted]
[redacted] (~~S~~) (U)

3. Will interview [redacted]
[redacted] (~~S~~) (U)

[redacted] Will interview [redacted]
[redacted] (~~S~~) (U)

b3 per CIA
b6

~~CONFIDENTIAL~~

~~SECRET~~

ENCLOSURES TO BUREAU

2- copies of cover memo and list of former
CIA employees, now retired

RICHARD HELMS. AND OTHERS;

[REDACTED]

- VICTIMS

CR

AX FILE: 44-183

RE: AX AIRTEL 9/10/75

b3 per CIA
b6 per FBI
b7C per FBI

F B I

Date: 9/4/75

Transmit the following in _____
(Type in plaintext or code)
AirtelVia _____
(Priority)

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

TO: DIRECTOR, FBI

FROM: SAC, ALEXANDRIA (44-183) (P)

RICHARD HELMS, AND OTHERS;

CIVIL RIGHTS

VICTIMS;

b3 per CIA

b6 per CIA & FBI

b7C per FBI

Re Bureau airtel to Alexandria, 8/26/75.

Enclosed for Richmond and Tampa are two copies for each office of referenced airtel and enclosures.

Chief LEONARD P. KLINE, Chief of Police, Fairfax, Virginia, advised on 9/3/75, that MURRAY KUTNER, former Chief of Police, Fairfax, Virginia, has retired and is presently living at 4900 Brittany Drive, South, Apartment 408, St. Petersburg, Florida.

Chief KLINE further advised that CARL W. BUCHHOLZ, former Chief of Detectives, Fairfax, Virginia, Police Department, is also retired and presently resides at 1193 Pinehurst Road, Staunton, Virginia.

LEADSRICHMOND

AT STAUNTON, VA. Will interview CARL W. BUCHHOLZ in accordance with referenced airtel and will report results in form of a report with copies to the Bureau and Alexandria by 9/17/75.

- 2 - Bureau
- 2 - Richmond (Enc. 2)
- 2 - Tampa (Enc. 2)
- 1 - Alexandria

CHS:ljb
(7)

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

AX 44-183

TAMPA

AT ST. PETERSBURG, FLORIDA. Will interview MURRAY KUTNER in accordance with instructions in referenced airtel and will submit results by report to reach Bureau and Alexandria by 9/17/75.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE TAMPA	OFFICE OF ORIGIN ALEXANDRIA	DATE 9/15/75	INVESTIGATIVE PERIOD 9/9/75 - 9/15/75
TITLE OF CASE RICHARD HELMS AND OTHERS; [REDACTED] - VICTIMS		REPORT MADE BY SA [REDACTED]	TYPED BY b6 per FBI b7C - 5 8 4
		CHARACTER OF CASE b3 per CIA b6 per FBI b7C per FBI CR	

REFERENCES: Alexandria airtels to Director, 9/4/75 and 9/5/75.

- RUC -

ADMINISTRATIVE:

This report is being classified "~~Secret~~" in view of the fact that a Departmental Memorandum dated 8/14/75 from the Assistant Attorney General to the Director of the FBI was so classified. Mr. MURRAY KUTNER's name was set forth in this memorandum as the person who should be interviewed in connection with this case.

In view of the confidential nature of this inquiry, no dissemination is being made to the AUSA in Alexandria, however, an extra copy is being furnished to that office if they should desire such dissemination.

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
APPROVED <i>[Signature]</i> COPIES MADE: 2 - Bureau 3 - Alexandria (44-183) 1 - Tampa (44-2169)						SPECIAL AGENT IN CHARGE	
DO NOT WRITE IN SPACES BELOW 44-66042-11 REC-49 SEP 18 1975							
Dissemination Record of Attached Report						Notations	
Agency	[REDACTED]						
Request Recd.							
Date Fwd.	9-18-75						
How Fwd.	[REDACTED]						
By	[REDACTED]						

70 OCT 8 1975

McDONOUGH
SLIX
DATA PROC

A*
COVER PAGE

GPO : 1975 O - 566-119

TP 44-2169

Mr. KUTNER was advised that investigation was being conducted at the specific request of the U. S. Department of Justice.

B*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION~~SECRET~~

Copy to:

Report of: SA [REDACTED]
Date: September 15, 1975

Office:

b6 per FBI
b7C

Field Office File #: 44-2169

Bureau File #:

Title: RICHARD HELMS. AND OTHERS;
[REDACTED] - VICTIMSb3 per CIA
b6 per FBI
b7C per FBI

Character: CIVIL RIGHTS

Synopsis: MURRAY KUTNER, Former Chief of Police, Fairfax,
Virginia, now residing in St. Petersburg, Florida,
declined to be interviewed. U

- RUC -

DETAILS:The following is the result of a limited
investigation. U

~~Classified by 6369~~
~~Exempt from GDS, Category 2~~
~~Date of Declassification Indefinite~~

Declassified 4/17
12/15/76

0-79 to ALEX, TAMPA
to declassify 12-15-76
Dmy/4

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~1Date of transcription 9/15/75

Mr. MURRAY KUTNER was seen at Slip 664, Maximo Moorings, St. Petersburg, Florida. SA [] explained to Mr. KUTNER that the FBI wanted to speak to him in connection with an alleged surreptitious entry of a photography studio in Fairfax, Virginia, during 1971. A Waiver of Rights was offered to Mr. KUTNER, but he said he did not want to read it, nor did he want to discuss the matter with anyone. U

b6 per FBI
b7C

Mr. KUTNER was friendly and hospitable. He remarked that he first became aware of an alleged surreptitious entry when he read about it in a northern Virginia newspaper about two months ago. He commented that he is so emotionally disturbed at the publicity surrounding the allegations and his part in them, that he does not want to talk about the situation to the FBI or to anyone else at this time. U

Mr. KUTNER asserted that he had been a law enforcement officer for 35 years and he felt that during that period he had always acted in an honest, conscientious manner and had always had the best interest of the U.S. in mind. He concluded by reiterating that he did not want to discuss, but commented that should he be subpoenaed before a fact finding body that he would comply to the subpoena and at that time obtain a lawyer for advice. U

~~SECRET~~Interviewed on 9/9/75 at Tampa, Florida File # Tampa 44-2169by SA [] 2*
SA [] WBG:cs Date dictated 9/15/75b6 per FBI
b7C

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE RICHMOND	OFFICE OF ORIGIN ALEXANDRIA	DATE 9/15/75	INVESTIGATIVE PERIOD 9/10/75
TITLE OF CASE RICHARD HELMS AND OTHERS; [redacted] - VICTIM; [redacted] - VICTIM		REPORT MADE BY SA JAMES M. MC ANDREW	TYPED BY jbp
		CHARACTER OF CASE CR	b3 per CIA b6 per CIA & FBI b7C per FBI

REFERENCE: Bureau airtel to Alexandria, 8/26/75
Alexandria airtels to the Bureau, 9/4 and 9/5/75.

- RUC -

ADMINISTRATIVE:

CARL W. BUCHOLZ was advised that this investigation was being conducted at the specific request of Departmental Attorney [redacted]

This interview was conducted by one Agent as no others were available.

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED *Hu* SPECIAL AGENT IN CHARGE

COPIES MADE:

- 2 - Bureau
3 - Alexandria (44-183)
(1 - USA, Alexandria)
1 - Richmond (44-1143)

DO NOT WRITE IN SPACES BELOW

44-66042

SEP 17 1975

Dissemination Record of Attached Report

Agency	100 C.R.P.		
Request Recd.			
Date Fwd.	9-18-75		
How Fwd.	0-20131		
By	SSB/da-y		

Notations

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - United States Attorney, Alexandria, Virginia

Report of: SA JAMES M. MC ANDREW
Date: September 15, 1975

Office: Richmond, Virginia

Field Office File #: 44-1143

Bureau File #:

Title: RICHARD HELMS, AND OTHERS;
[REDACTED] - VICTIM;
[REDACTED] - VICTIMb3 per CIA
b6 per CIA & FBI
b7C per FBI

Character: CIVIL RIGHTS

Synopsis: CARL W. BUCHOLZ interviewed, 9/10/75, at Staunton, Va.,
and declined to furnish any statement until he contacts
his attorney, [REDACTED]b6 per FBI
b7C

- RUC -

DETAILS:The following is the results of a limited
investigation.

FEDERAL BUREAU OF INVESTIGATION

-1-

Date of transcription September 15, 1975

CARL W. BUCHOLZ was located at Staunton, Virginia, and was advised of the identity of the Agent and the purpose of the interview and furnished a copy of FD-396 concerning certain rights, which was executed by BUCHOLZ. BUCHOLZ stated he is a Retired FBI Agent and has just recently retired as Chief of Detectives of the Fairfax City Police Department. He stated that in view of the possible criminal and civil repercussions in this matter, he would decline to furnish any information without the advice of his attorney,

[REDACTED]

b6 per FBI
b7C

Interviewed on 9/10/75 at Staunton, Virginia File # Richmond 44-1143
Alexandria 44-183
by SA JAMES M. MC ANDREW:jbp Date dictated 9/10/75

2*

F B I

Date: 9/18/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI
FROM: SAC, ALEXANDRIA (44-183) (P)

RICHARD HELMS;
ET AL:

 - VICTIMS
CIVIL RIGHTS
OO: ALEXANDRIA

b3 per CIA
b6 per CIA & FBI
b7C per FBI / 110 R. B. Smith

Re report of SA CODY HEBER SMITH dated 9/16/75
at Alexandria and telephone call from Bureau to Alexandria
9/18/75.

Enclosed for Bureau are two copies of amended
FD-204 and succeeding pages.

In accordance with Bureau instructions no copy
is being designated for the U. S. Attorney, Alexandria,
and the original copy previously furnished to the U. S.
Attorney's Office will be retrieved, as well as copies
disseminated by other offices.

44-166042 =

2- Bureau (Enc. 2)
2- Alexandria
SWW:smb
(4)

ENCLOSURE

*Detached & filed
in above ref. report.
cons. / mmd 9/19/75*

NOT RECORDED
22 SEP 20 1975

SIX

DATA PROCESSING

Approved: *HT/DW*

Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ALEXANDRIA	OFFICE OF ORIGIN ALEXANDRIA	DATE 9/16/75	INVESTIGATIVE PERIOD 8/27/75 - 9/11/75
TITLE OF CASE RICHARD HELMS; ET AL: [REDACTED]		REPORT MADE BY SA CODY HEBER SMITH	TYPED BY clh
[REDACTED] - VICTIM; (S) (U) [REDACTED] - VICTIM		CHARACTER OF CASE CIVIL RIGHTS b3 per CIA 5 b6 per FBI 8 b7C per CIA & FBI 11	

REFERENCE: Bureau airtel to Alexandria, 8/26/75. (S) (U)

LEADS:

ALEXANDRIAAT FAIRFAX, VIRGINIA. Will interview [REDACTED] b6 per FBI
Fairfax, Virginia, Police Department. (S) (U) b7CAT MC LEAN, VIRGINIA.

1. Will interview CIA current employees when they are made available by CIA. (S) (U)

CLASSIFIED BY 5446 39063 EJA/BCE/OK
DECLASSIFY ON: 25X

ACCOMPLISHMENTS CLAIMED			<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	RECOVERIES		
					PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
					PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED

COPIES MADE:

1 Kennedy by memo, 9-19-75

- ② - Bureau
1 - USA, Alexandria, Virginia
2 - Alexandria (44-183)

1 copy of report destroyed 9/19/75

Dissemination Record of Attached Report

Agency	1cc CRO
Request Recd.	
Date Fwd.	9-19-75
How Fwd.	0-20(B) or
By	JTB

56 OCT 09 1975

DO NOT WRITE IN SPACES BELOW

44-66042-13

REC-46

3 SEP 18 1975

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

SECRET

DATA PROC

~~SECRET~~

AX 44-183

☐ ~~(S)~~ (U) 2. Will interview ☐

☐ ~~(S)~~ (U) 3. Will interview ☐

b3 per CIA
b7C

AT VIENNA. VIRGINIA. Will interview ☐
☐ ~~(S)~~ (U)

~~SECRET~~

~~SECRET~~UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATIONDECLASSIFICATION AUTHORITY FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 10-02-2015 BY: F54M93K42
FBI INFORMATION ONLY

Copy to:

51601
CLASSIFIED BY 39063 *clw/blc/jrk*
DECLASSIFY ON: 25XReport of: SA CODY HEBER SMITH
Date: 9/16/75

Office: ALEXANDRIA, VIRGINIA

Field Office File #: 44-183

Bureau File #:

Title:

RICHARD HELMS;
ET AL;- VICTIM;
- VICTIMCLASSIFIED BY SP7 *clw/Am*
DECLASSIFY ON: OADR(S) (U)
b3 per CIA 1/5/95 C.A. #88-1026
b6 per FBI
b7C per CIA & FBI
CIA REVIEW of 3/8/95

Character:

CIVIL RIGHTS

Synopsis:

On 8/27/75, [redacted] Assistant General Counsel, Central Intelligence Agency (CIA), stated he desired that FBI coordinate interviews of both current and former CIA employees through his office. He reported CIA would attempt to obtain private counsel for them if they so desired. On 9/10/75, [redacted] made available list of 11 former employees of CIA who are now retired, with one deceased. As of 9/11/75, CIA had not made available any current CIA employees for interview. On 9/10/75, Chief LEONARD P. KLINE, Fairfax, Va., PD, was interviewed in the presence of counsel. Chief KLINE stated that on advice of counsel he would decline to make a statement at this time. Former Chief of Police MURRAY KUTNER, Fairfax, Va., PD, now retired and living in St. Petersburg, Fla., former Chief of Detectives KARL BUCHHOLZ, Fairfax, Va., PD, now retired and living at Staunton, Va.; Attorney [redacted] Fairfax, Va., advised on 9/4/75 that he has been granted authority to represent KUTNER and BUCHHOLZ if they so desire. [redacted] former Deputy Chief, [redacted] CIA, now retired, advised he did not participate in or know anything about [redacted] RICHARD OBER, current CIA employee, is detailed to [redacted] staff. JAMES ANGLETON, Consultant, CIA, who is now retired and who was formerly employed as CIA's Chief of Counter-Intelligence, advised he did not participate in [redacted] and did not recall having previous knowledge of it. (S) (U)

CLASSIFIED BY 3696

- P EXEMPT FROM GDS CATEGORY 1 2 3 4

DATE OF DECLASSIFICATION: INDEFINITE

DETAILS:

~~SECRET~~

AX 44-183

This report contains the results of a limited investigation. ~~(S)~~ (U)

This investigation was predicated upon a memorandum dated August 14, 1975, from [redacted] Assistantb6 per FBI Attorney General, Civil Rights Division, to the Director, b7C Federal Bureau of Investigation (FBI) ~~(S)~~ ~~(S)~~ (U)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~Date of transcription 9/9/75

1
JAMES ANGLETON, Consultant, Central Intelligence Agency (CIA), McLean, Virginia, after being advised of the identities of the interviewing agents, was informed of the purpose of the interview and furnished a form entitled "Interrogation; Advice of Rights" which he read and executed. ~~(S)~~ (U)
~~(UNCLASSIFIED)~~

Mr. ANGLETON indicated he first became associated with CIA during World War II when the agency was known as the Office of Strategic Services (OSS). He said from that time until he retired in latter part of 1974 he remained in the employ of the agency. Mr. ANGLETON said in 1954 he was designated CIA's Chief of Counter-Intelligence, a position he held at the time of retirement. He said that he is presently in a consulting capacity with the agency; however, he receives no remuneration for this. ~~(S)~~ (U)
~~(UNCLASSIFIED)~~

Mr. ANGLETON, when questioned regarding his knowledge of the reported surreptitious entry of the Roland Photographic Studios in Fairfax City, Virginia, in the early part of 1971 by agents of CIA, stated that he did not participate in and recalled no prior knowledge of the events or plans leading up to this incident. Mr. ANGLETON said he recalls no meetings at which he was present where plans to enter the Roland Studios were approved or discussed. He noted that it was possible that he could have had a briefing on this operation at some time; however, as he has subsequently read newspaper accounts of the incident none of the details of what he read "rang a bell." ~~(S)~~ (U)
~~(UNCLASSIFIED)~~

Mr. ANGLETON said that from what he has subsequently learned of this operation and the reasons leading up to it the matter was strictly a problem for the agency's Office of Security, which is charged with the responsibility of preserving ~~(S)~~ (U)

~~CLASSIFIED BY 3695~~
~~EXEMPT FROM GDS, CATEGORY 3~~
~~DATE OF DECLASSIFICATION: INDEFINITE~~

Interviewed on 9/2/75 at McLean, Virginia File # AX 44-183

by SA EDWARD C. RUDIGER
SA

EGR:smb

Date dictated 9/3/75b6 per FBI
b7C

~~SECRET~~

AX 44-183

2

the integrity of the security of CIA. This being the case Mr. ANGLETON said as Chief of Counter-Intelligence staff he had a buffer group set up between himself and the Office of Security which was headed by Mr. NEWTON S. (SCOTTY) MILER, now retired, which was known as [REDACTED]

b3 per CIA

[REDACTED] He said if there was any cooperation with the Office of Security and the CI staff on this operation it would have been handled through this group headed by Mr. MILER and he, ANGLETON, could conceivably have known nothing about it. ~~(S)~~ (U)

~~(UNCLASSIFIED)~~

(S) Mr. ANGLETON, when questioned further as to his knowledge of [REDACTED] and [REDACTED] stated (S) that he had no recollection whatsoever of [REDACTED] (S) however, he did recall that [REDACTED] was [REDACTED] of Mr. RICHARD OBER, an agency employee, currently detailed to [REDACTED]

b1 per CIA

b3
b7C

(S) According to Mr. ANGLETON he could only describe [REDACTED] in very general dimensions since he knew [REDACTED]

(S) [REDACTED] He said he could give no further details on it. ~~(S)~~

~~(SECRET)~~

(S) Mr. ANGLETON upon questioning as to whether he knew of any [REDACTED] other than the one previously mentioned indicated that such a question was so broad in its scope that he found it impossible to answer. ~~(S)~~

b1 per CIA

b3

~~(UNCLASSIFIED)~~

The following physical description of Mr. ANGLETON was obtained through interview and personal observations: ~~(S)~~ (U)

~~(UNCLASSIFIED)~~

[REDACTED]
Height: 5 feet 11 inches

b3 per CIA

b7C

~~SECRET~~

~~SECRET~~

AX 44-183

3

Weight:	155-160 pounds
Eyes:	Gray (glasses)
Hair:	Gray
Build:	Slender
Sex:	Male
Race:	White
Characteristics:	Stooped shouldered

]
(S) (U)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

9/10/75

1

Date of transcription

On Tuesday afternoon, September 3, 1975, Major LEONARD P. KLINE, Chief of Police, Fairfax City, Virginia, Police Department, was interviewed in his office. ~~(S)~~ (U)

Major KLINE was advised by Special Agent CODY HEBER SMITH that the Federal Bureau of Investigation (FBI) had been requested by the Civil Rights Division of the U. S. Department of Justice to conduct an investigation concerning the break in of the photographic studios at 10419 Main Street, Fairfax, Virginia, allegedly by the Central Intelligence Agency (CIA), and the Fairfax City, Virginia, Police Department on February 20, 1971. ~~(S)~~ (U)

Major KLINE was also advised that he was one of four police officers who was to be interviewed concerning his possible involvement in this break in. He was advised that the other police officers were MURRAY KUTNER, former Chief of Police, CARL W. BUCHHOLZ, former Chief of Detectives and [redacted]. Major KLINE advised that MURRAY KUTNER retired in January, 1975, as Chief of Police of this department and that he is currently residing at 4900 Brittany Drive, South, Apartment 408, St. Petersburg, Florida. He also advised that CARL W. BUCHHOLZ has retired from this department and is currently residing at 1193 Pinehurst Road, Staunton, Virginia. Major KLINE advised that there is no one by the name of [redacted] employed by the Fairfax City, Virginia, Police Department. He reported, however, that there is an individual by the name of [redacted] who is currently employed as [redacted]. He stated that [redacted] had very little to do with this investigation conducted by CIA. ~~(S)~~ (U)

b6 per FBI
b7C

Major LEONARD KLINE related that prior to discussing this matter with the FBI, he would prefer to discuss the matter with the Commonwealth Attorney and with the attorney for Fairfax City, Virginia. He stated that one reason he desired to discuss this matter with these attorneys was that he had received a letter in July, 1975, from an attorney in Washington, D. C. (WDC), advising that the attorney was representing [redacted] ~~(S)~~ (U)

b6 per FBI
b7C

Interviewed on 9/3/75 at Fairfax, Virginia File # AX 44-183

SAs ROLAND M. COCKER, JR., and
by CODY HEBER SMITH CHS:ljb Date dictated 9/4/75

~~SECRET~~

~~SECRET~~

AX 44-183

2

and that the attorney intended to possibly bring a civil suit against Fairfax City, Virginia, for the action of the Police Department in breaking into the photographic studios located at 10419 Main Street, Fairfax, Virginia, which was rented at that time by [REDACTED] X (S) (U)

b6 per FBI
b7C

Major KLINE reported that the attorney from whom he received the above letter was [REDACTED] [REDACTED] WDC, and he said the letter was dated July 18, 1975. He furnished this letter to the City Solicitor whom he requested to answer the letter. X (S) (U)

b6 per FBI
b7C

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~1Date of transcription 9/16/75

Major LEONARD P. KLINE, Chief of Police, Fairfax, Virginia, Police Department, was interviewed in his office on the morning of Wednesday, September 10, 1975. Also present during this interview and representing Major KLINE was Attorney [redacted] of Fairfax, Virginia. [redacted] is affiliated with the law firm of [redacted] - Fairfax, Virginia. ~~(S)~~ (U)

b6 per FBI
b7C

At the beginning of this interview, Major KLINE and [redacted] were apprised of the identity of the interviewing Agents and of the purpose of the interview. Major KLINE was advised of his rights and was furnished a copy of the form entitled "Interrogation; Advice of Rights," by SA SMITH. Major KLINE stated that he understood his rights as set out on this form, but he said that he would decline to sign the form on the advice of his attorney. ~~(S)~~ (U)

b6 per FBI
b7C

Major KLINE also stated that he would decline at this time to make any statement on the advice of [redacted] ~~(S)~~ (U)

b6 per FBI
b7C

The following physical description was obtained through interview and observation: ~~(S)~~ (U)

Name	LEONARD P. KLINE
Sex	Male
Race	White
Age	About 45
Occupation	Chief of Police Fairfax, Virginia, Police Department
Height	5'8"
Weight	170
Build	Stocky
Eyes	Blue
Hair	Black
Complexion	Medium

~~(S)~~ (U)~~SECRET~~

Interviewed on 9/10/75 at Fairfax, Virginia File # AX 44-183

by SA CODY HEBER SMITH
SA ROLAND M. COCKER CHS/clh Date dictated 9/15/75

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription

9/16/75

~~SECRET~~

[redacted] Assistant General Counsel,
Central Intelligence Agency (CIA), furnished a letter dated
September 9, 1975, a memorandum from ROBERT W. GAMBINO,
Director of Security, CIA, dated August 28, 1975, and an
attachment to the memorandum. ~~(S)~~ (U)

b3 per CIA
b7C

Copies of these documents are attached, all of
which are classified "~~Confidential~~". ~~(S)~~ (U)

Interviewed on 9/10/75 at McLean, Virginia File # AX 44-183
by SA EDWARD C. RUDIGER/clh Date dictated 9/10/75

-9-

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

1

Date of transcription 9/16/75

[redacted] was informed of the identities of the interviewing Agents as well as the fact that he was being interviewed concerning a possible federal violation in connection with the Civil Rights Act. At the beginning of the interview he was advised of his rights by SA [redacted] and waived them as shown on an executed Warning and Waiver Form. (U) b3 per CIA b7C b6 per FBI b7C

[redacted] advised he retired from the Central Intelligence Agency (CIA) on May 31, 1972. (U) b3 per CIA b7C

[redacted] believes that in February, 1971, he was Deputy Chief, [redacted], CIA. (U) b3 per CIA b7C

[redacted] advised he had no knowledge of CIA activities directed against the Roland Studios, Fairfax, Virginia, under the code name "Project Siesta." [redacted] was unaware that Roland Studio was under physical surveillance, and he learned of the surreptitious entry only after reading of the incident in the local newspaper. [redacted] knew of no CIA plan to illegally enter [redacted] apartment located in Washington, D.C. (U) b3 per CIA b6 per FBI b7C per CIA & FBI

(S) [redacted] b1 per CIA b3 b7C

Through observation and interview, the following descriptive information was obtained: (U) b3 per CIA b7C

[redacted] (U)

Interviewed on 9/11/75 at McLean, Virginia File # AX 44-183

by SA [redacted] /clh Date dictated 9/15/75 b6 per FBI b7C

-14-

AX 44-183

2

~~SECRET~~



~~(S)~~ (U)

b3 per CIA
b7C

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/11/75

1

On Thursday afternoon, September 4, 1975, ~~SECRET~~

[redacted], an attorney from the firm of [redacted] Fairfax, Virginia, telephonically contacted SA CODY HEBER SMITH at the Alexandria Office of the Federal Bureau of Investigation (FBI). ~~(S)~~ (U)

b6 per FBI
b7C

[redacted] advised that he is in private law practice and that he is retained by the city of Fairfax, Virginia, as [redacted]. He reported that he had been contacted by Major LEONARD P. KLINE, Chief of Police, Fairfax City, Virginia, Police Department, and had been apprised by Major KLINE of the investigation by the FBI concerning the break-in of the photographic studio located at 10419 Main Street, Fairfax, Virginia, by Central Intelligence Agency (CIA) officials and Fairfax City, Virginia, Police officials. ~~(S)~~ (U)

b6 per FBI
b7C

[redacted] requested the name of the United States Attorney who was handling this investigation for the U. S. Department of Justice and he said that he wanted this name so that he could contact this attorney for a discussion concerning this case. [redacted] was advised that this matter was being handled through the Criminal Division of the U. S. Department of Justice and that the attorney handling the matter for the Department was [redacted]. ~~(S)~~ (U)

b6 per FBI
b7C

[redacted] advised that he desired to be present during the interview of any police officials of the Fairfax City, Virginia, Police Department who are to be interviewed. He requested that the interview of Major LEONARD P. KLINE be postponed from Friday morning, 9:30 AM, September 5, 1975, since he [redacted] had to make a court appearance in Loudoun County on that date. It was arranged for the interview of Major KLINE to be conducted in KLINE's office at 9:30 AM on Wednesday, September 10, 1975. [redacted] was advised by Special Agent SMITH that it would also be necessary for [redacted] of the Fairfax City, ~~(S)~~ (U)

b6 per FBI
b7C

9/4/75 Alexandria, Virginia AX 44-183
Interviewed on _____ at _____ File # _____

SA CODY HEBER SMITH:ljb
by _____ Date dictated 9/5/75

~~SECRET~~

AX 44-183

2

Virginia Police Department to be interviewed concerning this matter. ~~(S)~~ (U)

During this conversation, [] advised further that he would be also representing former Chief of Police MURRAY KUTNER and former Chief of Detectives, CARL W. BUCHHOLZ if they so desire, and he requested information as to whether or not these individuals had already been contacted by the FBI. [] was informed that the FBI had not contacted KUTNER or BUCHHOLZ up to that time and that it would probably be three or four days before they were contacted for interview concerning this matter. ~~(S)~~ (U)

b6 per FBI
b7C

~~SECRET~~

F B I

Date: 9/25/75

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL _____
(Priority)

TO: DIRECTOR, FBI

FROM: ACTING SAC, RICHMOND (44-1143) -RUC-

RICHARD ⁰HELMS; ET AL;[REDACTED] - VICTIM;
[REDACTED] - VICTIM

CR

b3 per CIA
b6 per CIA & FBI
b7C per FBI

(00 - Alexandria)

Re Richmond report of SA [REDACTED], 9/23/75. b6 per FBI
b7CEnclosed for the Bureau and Alexandria are two corrected copies each of Page 2 (FD-302 of [REDACTED] of re report. Correction relates to Paragraph 1, Line 18, next to last work and Line 25, third word. b3 per CIA
b6

Bureau and Alexandria requested to insert corrected pages in report.

Richmond copy has been corrected.

*Detached and
filed in Ser. 14.
cons. mmd
11/19/75*

ENCLOSURE

- ② - Bureau (Enc. 2)
 - 2 - Alexandria (Enc. 2) (44-183)
 - 1 - Richmond
- TJO:jbp
(5)

*1. CRO Attention
9-30-75
JJB/dz**44-66042*
NOT RECORDED

15 SEP 29 1975

DATA PROC
CONSOLIDATION

Approved: _____ Sent _____ M Per _____

NOV 20 1975 Special Agent in Charge

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE RICHMOND	OFFICE OF ORIGIN ALEXANDRIA	DATE 9/23/75	INVESTIGATIVE PERIOD 9/23/75
TITLE OF CASE RICHARD HELMS; ET AL; [REDACTED] - <u>VICTIM</u> ; [REDACTED] - <u>VICTIM</u>		REPORT MADE BY SA [REDACTED]	TYPED BY b6 per FBI b7C
		CHARACTER OF CASE CR	b3 per CIA b6 per CIA & FBI b7C per FBI

REFERENCES: Alexandria airtel to the Bureau, 9/10/75
Richmond report of SA JAMES M. MC ANDREW, 9/15/75
Bureau airtel to Alexandria, 9/18/75.

- RUC -

ADMINISTRATIVE:

Copy of this report not being furnished to U. S. Attorney, Alexandria, Virginia, per instructions in re Bureau airtel.

[redacted] was advised that this investigation was being conducted at the specific request of the U. S. Department of Justice.

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO		
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES					
APPROVED <i>[Signature]</i>					SPECIAL AGENT IN CHARGE			DO NOT WRITE IN SPACES BELOW	
COPIES MADE:								44-66042-14	
② - Bureau								9-26	
2 - Alexandria (44-183)								1-SEP 24 1975	
1 - Richmond (44-1143)									
Dissemination Record of Attached Report					Notations			McDONOUGH	
Agency	In CRD							SEX	
Request Recd.								DATA PROC	
Date Fwd.	9-25-75								
How Fwd.	2-10(B)								
By	TJB/de								

5
8
10
4
last

EX-111-ROK

b3 per
b6

RH 44-1143

This case, at Richmond, was prematurely placed in an RUC status and the interview of [] was unintentionally delayed because lead Agent was involved in Bank Robbery conspiracy trial in U. S. District Court, Richmond, Virginia, between September 15 - 19, 1975. b3 per CIA b6

B*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: SA [REDACTED]
Date: September 23, 1975Office: Richmond, Virginia b6 per FBI
b7C

Field Office File #: 44-1143

Bureau File #:

Title: RICHARD HELMS; ET AL;
[REDACTED] - VICTIM;
[REDACTED] - VICTIMb3 per CIA
b6 per CIA & FBI
b7C per FBI

Character: CIVIL RIGHTS

Synopsis: [REDACTED] interviewed, 9/23/75 at Hanover Co., Va.,
and advised he has no specific recollection of this matter. b3 per CIA
b6

- RUC -

DETAILS:This report contains the results of a limited
investigation.

FEDERAL BUREAU OF INVESTIGATION

September 23, 1975

Date of transcription

[redacted] was interviewed at his residence by HUGH JAMES MC MENAMIN and [redacted], who identified themselves as Special Agents of the FBI. At the outset of the interview, Special Agent [redacted] advised [redacted] he was being interviewed regarding his knowledge of and possible involvement in the surreptitious entry of Roland Studios, 10419 Main Street, Fairfax, Virginia, on February 20, 1971, which was reportedly effected by Agents of the Central Intelligence Agency (CIA) and officers of the Fairfax, Virginia, City Police. [redacted] was advised by Special Agent [redacted] that the alleged surreptitious entry was reportedly part of an investigation conducted by the CIA relative to [redacted] and a former CIA employee, [redacted] and was reportedly given the code name "Siesta". [redacted] was also told by Special Agent [redacted] that the surreptitious entry of the Roland Studios, as alleged, was a violation of the rights of [redacted] and [redacted] under the Fourth Amendment and a violation of Title 18, United States Code, Section 242. He was also told that the actions necessary to plan, order, implement and execute the entry may also be a violation of Title 18, United States Code, Section 241. Additionally, [redacted] was told that CIA Director COLBY has issued a directive to all current and former employees of the CIA dispensing with their obligation to keep secret the facts concerning this matter when questioned in the course of an official investigation.

b3 per CIA
b6 per CIA & FBI
b7C per FBI

Also at the outset and prior to any questioning [redacted] was advised of certain rights as enumerated on an "Interrogation; Advice of Rights" form. After reading the rights enumerated, [redacted] stated he understood his rights, was willing to talk to the interviewing Agents, but declined to sign the Waiver of Rights. Thereafter, [redacted] furnished the following information orally and voluntarily:

b3 per CIA
b6

He retired from the CIA in June, 1973.

During the period, February, 1971 through April, 1971,

Interviewed on 9/23/75 at Hanover County, Virginia File # Richmond 44-1143

SA HUGH JAMES MC MENAMIN
by SA [redacted] TJO:jbp Date dictated 9/23/75 b6 per FBI
b7C

RH 44-1143

-2-

he was assigned as Senior Special Agent to the Washington Field Office of the CIA, however, he does not recall if he was in Washington, D. C., during any or all of this time interval.

He has been alerted by the CIA regarding his possible interview concerning the foregoing matter. He has no specific recollection concerning what, if any, involvement he may have had in this matter noting that he has not had an opportunity to review appropriate CIA files in order to refresh his recollection.

The name [redacted] and [redacted] b3 per CIA are not familiar to him nor does he have any recollection b6 per CIA & FBI ever having heard of the Roland Studios, 10419 Main Street b7C per FBI Fairfax, Virginia.

He has no knowledge of the surreptitious entry of the Roland Studios or of the events and plans leading up to the entry and he had no involvement in the actual entry.

He has no idea what the group ordering and performing the entry hoped to learn thereby and what was actually found of significance to the investigation.

He does not know whether those who took part in the actual surveillance and/or entry have performed any other surreptitious entries in the United States in the past.

He did not take part in any planning relative to the entry of [redacted] apartment at [redacted] b3 per CIA [redacted] in April, 1971, and knows b6 pr CIA & FBI nothing about such a matter. b7C per FBI

While he was employed by the CIA that agency was very compartmentalized for security reasons and as a Senior Special Agent assigned to the Washington Field Office of the CIA, he never had access to the overall scope or purpose of any given operation. Accordingly, he may have conducted some investigation relative to the foregoing matter, however, the part he played, if any, was so small and tangential that it would have had no particular significance to him. He also pointed out that between 1971 and 1973, he participated in hundreds of other cases and without benefit of reviewing appropriate files to refresh his recollection, he is unable to furnish any specific information since he has no recollection of same.

AIRTEL

9/18/75

To: SACs, Alexandria (44-183)
Baltimore (44-1208)
Cincinnati
Philadelphia
Richmond (44-1143)
Tampa
WFO

b6 per FBI
b7C

1 - [redacted]

From: Director, FBI

RICHARD HELMS, ET AL.;

CIVIL RIGHTS

VICTIMS

b3 per CIA
b6 per CIA & FBI
b7C per FBI

ReAXairtels to Director, FBI, dated 9/4/75,
and 9/10/75.

On 9/18/75, CRD Attorney [redacted] instructed that results of FBI investigation not be furnished to the U. S. Attorney, Alexandria, Virginia. Dissemination will be made only to the Civil Rights Division by FBIHQ.

b6 per FBI
b7C

REC-41

JJB:bap (16)

44-66042-5

SEP 22 1975

Assoc. Dir. _____
Dep. AD Adm. _____
Dep. AD Inv. _____
Asst. Dir.:
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

MAILED 7
SEP 18 1975
FBI

MAIL ROOM [redacted] TELESCOPE UNIT

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE CINCINNATI	OFFICE OF ORIGIN ALEXANDRIA	DATE 9/16/75	INVESTIGATIVE PERIOD 9/16/75
TITLE OF CASE RICHARD HELMS; ET AL: <div style="border: 1px solid black; width: 150px; height: 20px; margin: 5px 0;"></div> VICTIMS		REPORT MADE BY <div style="border: 1px solid black; width: 150px; height: 20px; margin: 5px 0;"></div>	TYPED BY b6 per FBI bf b7C
		CHARACTER OF CASE b3 per CIA b6 per CIA & FBI b7C per FBI CIVIL RIGHTS	

REFERENCE:

Alexandria airtel to Bureau, 9/10/75.

- RUC -

ADMINISTRATIVE:

This report is classified "~~Secret~~" because it refers to and elaborates upon a CIA project which project was classified "~~Secret~~" by the CIA.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-02-2015 BY F54M93K42 ADG

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
INVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED *WJW*SPECIAL AGENT
IN CHARGE

COPIES MADE:

2-Bureau (14)
1-Alexandria (44-183) (Info)
1-Cincinnati (44-2055)

DO NOT WRITE IN SPACES BELOW

44-66042-16

REC-104

SEP 22 1975

Dissemination Record of Attached Report

Notations

by

Recd.

14 CRD

9-23-75

0-70(B)

0-70(B)

0-70(B)

0-70(B)

COVER PAGE

CLASSIFIED

EXEMPT FROM GDS

DATE OF

INDEF

McDON
*when received
and repaired
8/5/81*

~~SECRET~~ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-02-2015 BY F54M93K42 ADGUNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION~~SECRET~~

Copy to:

Report of:

[REDACTED]

Office: CINCINNATI

b6 per FBI
b7C

Date:

9/16/75

Field Office File #: 44-2055

Bureau File #:

Title:

RICHARD HELMS, and others;

[REDACTED]

VICTIMS

b3 per CIA
b6 per CIA & FBI
b7C per FBI

Character:

CIVIL RIGHTS

Synopsis:

On 9/16/75, [REDACTED] former Assistant Deputy
Director of Security for [REDACTED]
[REDACTED] Central Intelligence Agency was contacted.
[REDACTED] advised that he attended a meeting in regards to
an investigation with the code name "Siesta" on or
about February 19, 1971. [REDACTED] stated this was his
first contact in any manner with this investigation
and further advised that he did not participate in the
entry of the Roland Studios, 10419 Main Street, Fairfax,
Virginia, on February 20, 1971. U

b3 per CIA
b6

- RUC -

DETAILS:AT CINCINNATI, OHIO

This report contains the results of a
limited investigation in the Cincinnati Division.

~~CLASSIFIED BY 2066~~~~EXEMPT FROM GDS CATEGORY 2~~~~DATE OF DECLASSIFICATION Indefinite~~~~SECRET~~~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/16/75

[redacted] Former Assistant Deputy Director of Security for [redacted] Central Intelligence Agency (CIA) was contacted at his residence, [redacted] and was advised of the identity of the interviewing Agents. [redacted] was also advised that this investigation was being conducted at the specific request of the U. S. Department of Justice. [redacted] was orally advised of his constitutional rights as they appear on an "Interrogation; Advice of Rights" form by SA [redacted] [redacted] then read this form, stated he understood these rights and executed the form by signature at this time. [redacted] provided the following information:

b3 per CIA
b6 per CIA & FBI
b7C per FBI

[redacted] stated that he attended a meeting, the exact date he did not recall, in regards to an investigation referred to by the code name "Siesta." [redacted] advised that this meeting took place on or about February 18, 1971. He further advised that he felt the only reason he attended the meeting was because of protocol.

b3 per CIA
b6

[redacted] advised that in January, 1971, he attained the position of Assistant Deputy Director of Security for [redacted] and had as his immediate supervisor the Deputy Director [redacted]. [redacted] advised that [redacted] was ill with pneumonia during the middle part of February, 1971, and thus as the Assistant he was in charge of that security which had to do with the field office. [redacted] advised that a meeting was called by the Director of the Security Office, HOWARD J. OSBORNE. [redacted] advised that he felt the only reason he was asked to attend the meeting was because certain of the Agents under his direction were involved in a matter referred to as "Siesta."

b3 per CIA
b6

[redacted] advised that at the meeting, the chairman was HOWARD OSBORNE and that he found out the case Agent assigned this project was [redacted] and that in addition to these two individuals, he recalled two individuals under his direction, [redacted] and [redacted] at that meeting. [redacted] stated that [redacted] had been told to come up with a plan to enter a place, the name of which [redacted] did not know at that time. [redacted] stated that at this meeting, he

b3 per CIA
b6

Interviewed on 9/16/75 at Cincinnati, Ohio File # 44-2055

SAs [redacted]

by [redacted]

BBS:bf

Date dictated 9/16/75

b6 per FBI
b7C

~~SECRET~~

~~SECRET~~

CI 44-2055

learned that [] had been in contact with the Fairfax, Virginia, Police Department in regards to "Siesta." [] stated that this was the first contact of any type that he had in regards to this matter. He stated that during the meeting he furnished no information and did not recall saying anything when the meeting began, up to and including the completion of the meeting.

b3 per CIA
b6

[] advised that he felt the purpose of the entry into the Roland Studios was because [] was suspected as being a Cuban Intelligence Agent. []

b1 per CIA
b3 per CIA
b6 per CIA & FBI
b7C per FBI

[] advised that HOWARD OSBORNE coordinated the operation on February 20, 1971, and was actually out in a radio car in the vicinity of Roland Studios. [] stated that he later heard that [] did not participate in the night of the entry but that [] did and one other individual under his direction did, the name of the individual he does not recall. [] advised that he never received any status reports regarding the entry at Roland Studios and did not know if anything of value was obtained.

b3 per CIA
b6

[] advised that the objective of this entry was to find out if [] or [] had acquired classified information from the CIA. []

b1 per CIA
b3 per CIA
b6 per CIA & FBI
b7C per FBI

[] advised that he did not know if any of the individuals that took part in the actual surveillance and entry had performed any other surreptitious entries in the United States in the past. He advised that he had only had the Assistant Deputy job since January, with this occurring in February of 1971. [] advised that his position

b3 per CIA
b6

~~SECRET~~

~~SECRET~~

CI 44-2055

had to do with the field office where as OSBORNE was in charge of the security under which this matter fell.

[] advised that a surveillance was maintained through the use of a surveillance van by the CIA on the apartment of [] to obtain information on the coming or goings of any individuals visiting there. He stated that they were specifically interested to see if any employees of the CIA might be visiting with []. He stated that he felt this was a check of the feasibility of entering the apartment of [] but that he did not think the plan to enter that apartment ever came about.

b3 per CIA
b6 per CIA & FBI
b7C per FBI

[] advised that the night of the meeting which he attended as the Assistant Deputy Director, he understood that project "Siesta" had been in existence for approximately two years but that he had not received any prior word or contact in regards to "Siesta."

b3 per CIA
b6

[] is a white male, who was observed to have no obvious physical disabilities which would prevent him from remembering or recalling the incident.

b3 per CIA
b6

~~SECRET~~

~~SECRET~~

FBI

Date: 9/18/75

~~SECRET~~

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Sys.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL

~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.~~

TO: DIRECTOR, FBI

FROM: SAC, ALEXANDRIA (44-183) (P)

RICHARD HELMS,
ET AL;

[REDACTED] VICTIMS
CR

b3 per CIA
b6 per CIA & FBI
b7C per FBI

Re Bureau airtel to Alexandria 8/26/75. (S) (U)

[REDACTED] Assistant General Counsel,
Office of General Counsel (OGC), Central Intelligence Agency
(CIA), McLean, Virginia, advised SA EDWARD C. RUDIGER on
9/17/75, that he still could not make available for interview
any current agency employees in this matter since his office
was continuing its attempts to obtain private attorneys
for them. [REDACTED] said that OGC had already made contact
with the head of the District of Columbia Bar Association
and hoped to contact the Virginia Bar Association. He said
they in turn would canvass their members to determine who
among them would on a pro bono basis represent the employees
which the Justice Department requested the FBI to interview
in this case. [REDACTED] could give no estimate as to how
much time would be consumed in this process, but once again
SA RUDIGER attempted to impress upon him the necessity for
the Bureau to bring the investigation of this matter to a
logical conclusion at the earliest possible moment. [REDACTED]
[REDACTED] reiterated that he understood this and at such time
as these interviews could be conducted he would advise SA
RUDIGER. (S) (U)

b3 per CIA
b6

2- Bureau
1- Alexandria
CHS:smb

(35) OCT 15 1975

~~SECRET~~

CLASSIFIED BY SP7 CJA/HM
DECLASSIFY ON: OADR

3/15/95 C.A. # 87-1826

ALL CLASSIFICATION PER
C.A. REVIEW OF 3/8/95

Sent

Per

Approved: _____

Special Agent in Charge

AX 44-183

~~SECRET~~

[] further advised that Mr. NEWTON S. (SCOTTY) MILER, who was referred to in the interview of Mr. JAMES ANGLETON and is a retired CIA official who may have some knowledge bearing on this investigation, may be contacted by Bureau Agents at [] [] telephone []. (S) (U)

b3 per CIA
b6

For the additional information of the Bureau it is the personal opinion of SA RUDIGER that the CIA, through [] office, is not purposely attempting to impede the Bureau's investigation of this case. It appears rather that CIA officials realize the gravity of this matter and with particular emphasis on their current employees are making every effort to assist these individuals personally and at the same time protect the interests of their own agency. Alexandria, however, will continue to maintain its contact with [] and the OGC on a periodic basis in the hope that these contacts will be a continual reminder to CIA concerning the Bureau's responsibilities in this case. (S) (U)

b3 per CIA
b6

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE PHILADELPHIA	OFFICE OF ORIGIN ALEXANDRIA	DATE 9/17/75	INVESTIGATIVE PERIOD 9/17/75
TITLE OF CASE RICHARD HELMS ET AL; [REDACTED] - <u>VICTIM</u> ; [REDACTED] - <u>VICTIM</u>		REPORT MADE BY ROBERT F. SAVARD, JR.	TYPED BY jk
		CHARACTER OF CASE CR	b3 per CIA b6 per CIA & FBI b7C per FBI

REFERENCE

Alexandria airtel to Bureau, 9/10/75.

- RUC -

ADMINISTRATIVE

Two copies of this report designated for Alexandria in view of possibility of dissemination of this report to U.S. Attorney's Office.

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
APPROVED COPIES MADE:						SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
② - Bureau 2 - Alexandria (44-183) 1 - Philadelphia (44-2727)							44-66042-18 10/1 22 SEP 20 1975 REC-10
1 Key copy made of complete 8-30-75 Dissemination Record of Attached Report						Notations	NO CONOUGH SIX DATA PROC
Agency	[Signature]						
Request Recd.							
Date Fwd.	9-30-75						
How Fwd.	[Signature]						
By	27 OCT 16 1975						

~~SECRET~~ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-02-2015 BY F54M93K42 ADGUNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: ROBERT F. SAVARD, JR.
Date: SEPTEMBER 17, 1975Office: PHILADELPHIA,
PENNSYLVANIA

Field Office File #: 44-2727

Bureau File #:

Title: RICHARD HELMS;
ET AL:[REDACTED] - VICTIM;
[REDACTED] - VICTIMb3 per CIA
b6 per CIA & FBI
b7C per FBI

Character: CIVIL RIGHTS

Synopsis:

[REDACTED] former ASAC of CIA. WDC. (now retired) interviewed at [REDACTED] [REDACTED] returned from CIA assignment in Germany in 1965 to assume position of ASAC for operational support having responsibility of maintaining internal security within CIA. In 1966, [REDACTED] received instructions to establish surveillance capabilities, and he in turn gave this assignment to SA [REDACTED] who assembled a surveillance cadre of [REDACTED] special agents. This surveillance team conducted surveillance in WDC from 1967 through 1971. In February, 1971, a meeting was held with [REDACTED] SAC [REDACTED] and [REDACTED], Chief of [REDACTED] Security Office.

Operation Siesta discussed at this meeting when victim [REDACTED] was identified as being a former G-2 agent from Cuba who was having a clandestine and romantic relations with [REDACTED]. Victim [REDACTED] was identified as a former file clerk with CIA [REDACTED].

[REDACTED] who had numerous friends still working for CIA. Victims were surveilled by the [REDACTED] surveillance team for approximately a month until a decision was handed down to break into a photography studio operated by victims. [REDACTED] unable to positively identify source who ordered break-in, but is of the opinion that the decision had to come from Director of CIA. Plan also included a proposed burglary of victim [REDACTED] apartment although break-in was never consummated when locksmith unable to open door.

[REDACTED] denied any physical participation in the surveillance of victims or break-in of their photography studio and

Classified by [REDACTED]
Exempt from GDS, Category 2
Date of Declassification Indefinite

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~~SECRET~~

~~SECRET~~

PH 44-2727

apartment. Instead, [] surveillance team, accompanied
by local police officer, committed break-in. []

b1 per CIA

b3

b6

(S)

[] regarding
status of Operation Siesta.

- RUC -

Details:

- 2 -

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/17/75

[redacted] was interviewed at his residence, [redacted], (home telephone [redacted]) when he was advised of his right not to answer questions, that any statement made by him could be used against him in court, that he could consult an attorney or anyone else before answering questions and that he had the right to decline to answer questions at any time during the interview. [redacted] was furnished a form entitled "Interrogation; Advice of Rights," which he read and signed. [redacted] advised as follows:

b3 per CIA
b6

(S) [redacted] had been a special agent of the CIA for [redacted] years until he retired in June, 1973. He had been in [redacted] working with CIA until 1965 when he was transferred to the Washington, D.C., Office of CIA when he was made Assistant Special Agent in Charge (ASAC) for operational support. This position had the responsibility of [redacted]

b1 per CIA
b3
b6

(S) [redacted] had [redacted] special agents assigned to him during most of his assignment in Washington.

In 1966, [redacted] receive a directive to establish the surveillance capabilities of his department. He in turn gave this specific assignment to Special Agent [redacted] who assembled a cadre of about [redacted] special agents. This surveillance group conducted various surveillances in the Washington, D.C., area from 1967 until 1971. In February, 1971, [redacted] attended a meeting with Special Agent in Charge (SAC) [redacted] key men selected by [redacted] and [redacted] who was Chief of the [redacted] of the Security Office. At this meeting [redacted] briefed the group on Operation Siesta, a code name assigned to the investigation of [redacted] and his girl friend, [redacted] was identified by [redacted] at this meeting as being a former G-2 agent from Cuba and was suspected of being in the United States conducting high-level espionage assignments for CASTRO. [redacted] developed a clandestine and intimate relationship with [redacted] who was identified by [redacted] as a former file clerk

b3 per CIA
b6 per CIA & FBI
b7C per FBI

Interviewed on 9/17/75 at Carlisle, Pa. File # Philadelphia 44-2727

by SA's ROBERT F. SAVARD, JR. [redacted] RFS/jk Date dictated 9/17/75

b6 per FBI
b7C- 3 -
~~SECRET~~

PH 44-2727

(S) with CIA [redacted]

(S) [redacted]
[redacted] had a number of close personal friends who were still employed by CIA at the time of this meeting, and it was decided that [redacted] and [redacted] would be surveilled by the surveillance crew established by [redacted] and directly supervised by [redacted]. This surveillance continued for approximately a month. Finally, a decision "came down" to break into [redacted] and [redacted] photography studio. [redacted] did not know the original source for this order, but he did know that the order came down from "the top," and he was certain that the decision would have come from the Director's Office. [redacted] was equally certain that anyone in a lower supervisory or administrative position within CIA would not make this kind of decision, but, instead, would have to come directly from the Director of CIA. The surveillance crew was to conduct a burglary of this photography studio for the primary purpose of photographing any documents or records found in the studio to determine whether or not [redacted] and [redacted] had penetrated the security of CIA. Along with the plan to break into the photography studio was a plan to break into [redacted] apartment located on [redacted]. A special agent of the CIA by the name of [redacted] (now retired) was an accomplished locksmith, but some how or other, the locks on the door leading to [redacted] apartment were tampered with to such an extent that entry could not be gained to the apartment.

(S) [redacted] explained that CIA had trained numerous local police officers in the [redacted] area to work with CIA in surveillances and surreptitious entries.

[redacted] claimed that he never physically participated in any of the surveillances connected with Operation siesta, nor did he have anything to do regarding the break-in of the photography studio or the attempted break-in of [redacted] apartment. [redacted] was the immediate supervisor [redacted] and did pass on to [redacted] certain instructions that would come to him from his SAC, [redacted] or [redacted] but he was not involved personally or physically in any part of Operation Siesta.

b1 per CIA
b3 per CIA
b6 per CIA & FBI
b7C per FBI

b1 per CIA
b3
b6

b3 per CIA
b6 per CIA & FBI
b7C per FBI

PH 44-2727

HOWARD OSBORN was the immediate supervisor of [] and [] was of the opinion that OSBORN was the only intermediate step between [] and RICHARD HELMS, Director of CIA. [] recalled that on several occasions, [] talked directly to HOWARD OSBORN rather than going through [] and []. Following their conferences, [] did report back to [] to brief him on the details of the meetings that he had.

b3 per CIA
b6

- (S) [] recalled that he had a [] in his home at [] and he could overhear much of the [] during Operation Siesta. On the night of the break-in of the photography studio, [] did inquire on one occasion about the status of the operation. This one single inquiry by him (S) via [] was the only direct participation on his part in Operation Siesta.

b1 per CIA
b3
b6

[] recalled that numerous photographs were taken inside the photography studio, but he never did know the results, nor did he know whether or not the evaluation of these photographs proved to be of any value regarding possible penetration of [] and [] into the security of CIA.

b3 per CIA
b6 per CIA & FBI
b7C per FBI

- (S) No one, to the best of his knowledge, ever participated in any other surreptitious entry except for a break-in of a CIA office located in [] [] could not recall the full details of that matter, but did recall that (S) a contract employee, who possibly was [] country, was working in a CIA rented office [] and information was developed that this CIA employee (S) was operating as a [] In order to establish the (S) possible [] of this employee, [] headed by [] did break into the CIA office (S) in [] [] could not recall the outcome of that investigation and did not recall if the break-in located any evidence to identify the contract employee as a double agent.

b1 per CIA
b3
b6

[] explained that he did not wish to furnish a signed statement about his duties and responsibilities in CIA, including his knowledge of Operation Siesta, because it happened about five years ago, and he could not be positive of all of []

b3 per CIA
b6

~~SECRET~~

PH 44-2727

~~SECRET~~

the details. He emphasized that all of the information he had furnished to Agents SAVARD and [] was complete and honest, to the best of his recollection, but it was possible that he could have left some details out in view of the time difference. He said that he would be available at any time to answer any specific questions and stated that he would cooperate with the FBI in any way possible.

b6 per FBI
b7C

The following description of [] was obtained by observation and interview:

b3 per CIA
b6

Name
Race
Sex
Age
Date of Birth
Height
Weight
Hair
Eyes
Marital Status
Employed



b3 per CIA
b6

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN ALEXANDRIA	DATE 9/16/75	INVESTIGATIVE PERIOD 9/12/75
TITLE OF CASE RICHARD WELLS, and others; [REDACTED] VICTIM		REPORT MADE BY RICHARD W. HOUSTON	TYPED BY gmb
		CHARACTER OF CASE CIVIL RIGHTS	

b3 per CIA
b6 per CIA & FBI
b7C per FBI

REFERENCES: Alexandria airtel to Director, FBI dated 8/27/75
 Alexandria airtel to Director, FBI dated 9/10/75
 Alexandria airtel to Director, FBI dated 9/10/75

- P -

LEADWASHINGTON FIELD

AT WASHINGTON, D.C. Will interview RICHARD OBER,
 White House, Washington, D.C., concerning any involvement or
 information he may have regarding this matter on 9/25/75.

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

- ② - Bureau
 1 - Alexandria (44-183)
 2 - WFO (44-1044)

44-66042-19

SEP 18 1975

REC-65

Dissemination Record of Attached Report

Notations

Agency	WFO
Request Recd.	
Date Fwd.	9-19-75
How Fwd.	0-70(3)
By	WFO

McDONOUGH

DATA PROC

66 NOV 3 1975

A*
COVER PAGE

GPO : 1975 O - 566-119

WFO 44-1044

RWH:gmb

1

An investigation was conducted by Special Agent (SA) RICHARD W. HOUSTON on September 12, 1975, SA RICHARD W. HOUSTON telephonically contacted RICHARD OBER, White House, Washington, D.C. (WDC), concerning arranging an interview regarding this matter. Mr. OBER advised he would not be available for interview before September 25, 1975, and an appointment was arranged for Mr. OBER to be interviewed on that date. U

UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation~~SECRET~~

Copy to:

Report of: RICHARD W. HOUSTON
Date: 9/16/75

Office: Washington, D.C.

Field Office File #: 44-1044

Bureau File #:

Title: RICHARD HELMS, and others

 VICTIMb3 per CIA
b6 per CIA & FBI
b7C per FBI

Character: CIVIL RIGHTS

Synopsis:

On 9/12/75 RICHARD OBER, White House, Washington, D.C., was contacted by SA RICHARD W. HOUSTON concerning his availability to be interviewed regarding the captioned matter. Mr. OBER advised he would not be available for interview before 9/25/75 and an appointment was arranged for him to be interviewed at that time. On 9/12/75 Special Assistant, b3 per CIA Chief of Administrative Services Section, Operations Support b6 Staff, Office of Management and Finance, United States Department of Justice, WDC, was contacted concerning this matter and the results of that interview are set forth. U

- P -

DETAILS: AT WASHINGTON, D.C.0-79 to ALEX to
Declassify
12-13-76
JML/jffdec 19 1975
BIB

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/16/75

1

[redacted] Special Assistant, Chief of Administrative Services Section, Operation Support Staff, Office of Management and Finance, United States Department of Justice (USDJ), Washington, D.C. (WDC), was contacted by Special Agent (SA) RICHARD W. HOUSTON and SA [redacted] concerning his involvement [redacted]

[redacted] in a matter in which the Civil Rights of [redacted] and [redacted] were allegedly violated by a surreptitious entry in to the Roland Studio's, 10419 Main Street, Fairfax, Virginia, on February 20, 1971. [redacted] was advised that this investigation was conducted at the request of the Civil Rights Division [redacted] was advised of the identity of the Agents, the nature of his inquiry, and of his Constitutional rights by SA RICHARD W. HOUSTON reading to him from a form entitled Interrogation and Advice of Rights. After SA HOUSTON read this form he then provided it to [redacted] who stated he read it and understood it and signed it. [redacted] advised that he was ready to answer questions; thereafter he provided the following information concerning this matter.)

[redacted] advised that he did not participate in the surreptitious entry of the Roland Studio, 10419 Main Street, Fairfax, Virginia, on February 20, 1971. [redacted] further advised that he never had anything to do with the break-in officially and officially he never heard about the break-in, nor did he ever see any material that resulted from the break-in such as photographs or material possibly removed from the Studio. [redacted] advised that if he did see any material relative to this break-in he did not recognize it as such. [redacted] further advised that he had no knowledge of the event or plans leading up to this break-in.)

[redacted] advised that he had no knowledge of what the group ordering or performing the entry hoped to learn there by, and he had no knowledge of what the group actually found of significance to the investigation during the break-in. [redacted] was questioned by SA HOUSTON if

Interviewed on 9/12/75 at Washington, D.C. File # WFO 44-1044

by SA's RICHARD W. HOUSTON and [redacted] RWH:gmb Date dictated 9/12/75

WFO 44-1044

2

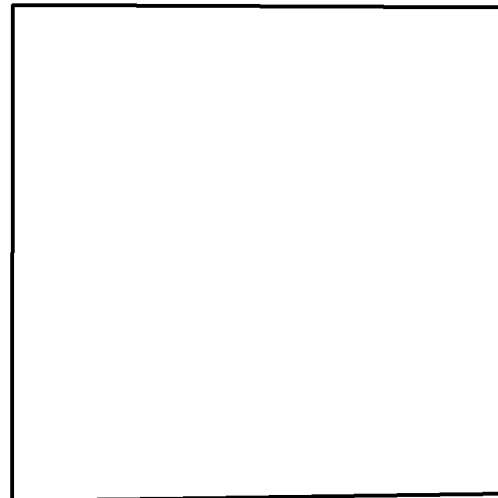
he ever participated in the surveillance of the Roland Studio, [redacted] advised he did not wish to answer this question. [redacted] b3 per CIA b6

[redacted] advised that he did not know of any other surreptitious entries made in the United States past by any of the individuals who took part in the surveillance and entry of the Roland Studio's. [redacted] further advised that he has no knowledge of any plans to enter [redacted] apartment at [redacted] in April, 1971, nor did he take part in the formation of any plans to enter [redacted] apartment. J b3 per CIA b6 per CIA & FBI b7C per FBI

[redacted] advised that he has no knowledge of the Fairfax Police being involved in this matter and he has no knowledge as to whether any information produced by the CIA investigation and surveillance was passed on to the Fairfax Police for its own use. J b3 per CIA b6

[redacted] description obtained through interview and observation is as follows: J b3 per CIA b6 w

Race:
Sex:
Date of Birth:
Place of Birth:
Social Security Number:
Height:
Weight:
Eyes:
Hair:
Complexion:
Occupation:
Former Occupation:



b3 per CIA
b6

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

REPORTING OFFICE ALEXANDRIA	OFFICE OF ORIGIN ALEXANDRIA	DATE 10/16/75	INVESTIGATIVE PERIOD 9/11/75 - 10/10/75
TITLE OF CASE RICHARD HELMS; ET AL; [REDACTED] - VICTIM; (S) (U) [REDACTED] - VICTIM		REPORT MADE BY SA CODY HEBER SMITH	TYPED BY ljb
		CHARACTER OF CASE (U) CIVIL RIGHTS	b3 per CIA b6 per CIA & FBI b7C per FBI
		ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.	

REFERENCES: Report of SA CODY HEBER SMITH at Alexandria, 9/16/75. (S) (U)
Alexandria airtels to Bureau, 10/3 and 10/10/75. (S) (U)

LEADSALEXANDRIA

AT McLEAN, VA. Will interview the 33 current CIA employees when they are made available. (S) (U)

- P - CLASSIFIED BY SP7 CUC/ACM
DECLASSIFY ON: OADR

3/15/95 O.A. #88-126

All classification per CIA Review of 3/8/95

CLASSIFIED BY 6667

EXEMPT FROM GDS, CATEGORY 1, 2, 3, 4

DATE OF DECLASSIFICATION: INDEFINITE

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			
							PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED

SPECIAL AGENT
IN CHARGE

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2 - Alexandria (44-183)

2 copies by 0-70

Attribution: [REDACTED]

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44-66042-20

REC-50

OCT 20 1975

MCDONOUGH

b6 per FBI
b7C

Dissemination Record of Attached Report

Notations

Agency	Civil Rights Division (DOJ)
Request Recd.	
Date Fwd.	10-20-75
How Fwd.	
By	NAC/John

DATA PROC

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 10-02-2015 BY: F54M93K42

66 DEC 1 1975

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EXP. PROC.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION~~SECRET~~~~SECRET~~

Copy to:

Report of: SA CODY HEBER SMITH
Date: 10/16/75

Office: Alexandria, Virginia

Field Office File #: 44-183

Bureau File #: 44-66042

Title: RICHARD HELMS;
ET AL;[REDACTED] - VICTIM; (S) (U)
[REDACTED] - VICTIMb3 per CIA
b6 per CIA & FBI
b7C per FBI

Character: CIVIL RIGHTS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE

Synopsis:

HOWARD J. OSBORN interviewed in the presence of his attorney, JOHN DeBELIUS. Mr. DeBELIUS spoke for Mr. OSBORN and advised that Mr. OSBORN had testified under oath concerning this matter before Rockefeller Commission in February, 1975. He advised Mr. OSBORN not to make any statements at this time as possible human error or inaccurate statements made could result in inconsistencies with his previous sworn testimony. NEWTON S. (SCOTTY) MILER, retired CIA Chief of Operations, Counter Intelligence Staff, advised he did not have any knowledge of captioned matter and did not participate in plans leading to incident. EARL HARTER, Vienna, Virginia, advised he had contacted [REDACTED] CIA Office of General Counsel, and was informed that CIA was making an effort to obtain legal counsel for its former employees and that HARTER would be contacted by CIA when it was determined whether CIA could provide legal counsel. [REDACTED] formerly employed by CIA as Chief of Investigations, informed he did not have any knowledge of instant break-in before it occurred. He stated he was responsible for investigation of potential overt and covert employees of CIA. [REDACTED] (S) (U)

b3 per CIA
b6CLASSIFIED BY SP7 ew/aw
DECLASSIFY ON: OADR

3/15/95 CIA #88-1826

ALL CLASSIFICATION PER
CIA REVIEW of 3/8/95

CLASSIFIED BY 2000

EXEMPT FROM DECLASSIFICATION

DATE OF DECLASSIFICATION INDEFINITE

~~SECRET~~

20

~~SECRET~~

AX 44-183

former CIA Deputy Chief, Operational Support Division, reported he had no knowledge of nor did he participate in "Project Siesta." [redacted] Fairfax, Virginia, Police Department, interviewed in presence of his attorney. His attorney furnished letter which stated [redacted] participation in this matter was that two weeks prior to alleged entry [redacted] was instructed to assist two employees of CIA in establishing what [redacted] believed was a routine visual surveillance on Main Street in Fairfax, Virginia. [redacted] Office of General Counsel, CIA, on 10/2/75, was contacted concerning the status of the [redacted] CIA employees to be interviewed. [redacted] stated that CIA Director had recently written a letter to AG concerning this and other matters and that no reply had been received. On 10/10/75, [redacted] related no reply had been received to above letter. Globe newspaper dated 9/25/75, contained article which reported attorney for victims intended to file civil suit in this matter against CIA and Fairfax, Virginia, Police Department, alleging invasion of privacy and unlawful trespass. (S) (U)

b6 per FBI
b7C

b3 per CIA
b6

- P -

DETAILS:

This report contains the results of a limited investigation. (S) (U)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~Date of transcription 9/17/751

HOWARD J. OSBORN, [REDACTED] telephone number [REDACTED] was called for the purpose of requesting a suitable time for interview concerning the "Siesta" project. MR. OSBORN advised that he desired to cooperate in any manner possible, however, he does not believe that there is anything that he can add to his testimony already furnished to the Rockefeller Commission. MR. OSBORN advised that his attorney is MR. JOHN W. DE BELIUS of Gaithersburg, Maryland, and would prefer, under the circumstances, that MR. DE BELIUS be contacted so that a suitable interview appointment time might be established at OSBORN's home. X (S) (U)

b3 per CIA
b6Interviewed on 9/11/75 at McLean, Virginia File # AX 44-183by SA ROLAND M. COCKER:bjm Date dictated 9/16/75

3

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~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

Date of transcription

9/17/75

1

JOHN W. DE BELIUS, Attorney, was telephoned for a suitable appointment time for an interview with his client, HOWARD J. OSBORN, concerning the "Siesta" project. MR. DE BELIUS advised that he wants to cooperate in this investigation, however, he does not believe there is anything that OSBORN can add to the testimony which he has already given to the Rockefeller Commission which went into great detail during the questioning and to repeat every detail could possibly result in minor detail variations of his recollection and thereby cause confusion to someone reading the reports. ~~(S)~~ (U)

MR. DE BELIUS stated that he would meet with the interviewing Agents and MR. OSBORN at 10:00 a.m., on Wednesday, September 17, 1975, at OSBORN's home in [REDACTED] ~~(S)~~ (U)

b3 per CIA
b6

Interviewed on 9/11/75 at Gaithersburg, Maryland
(telephonically) File # AX 44-183
by SA ROLAND M. COCKER:bjm Date dictated 9/16/75

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/18/75~~SECRET~~

1

MR. JOHN DE BELIUS, an attorney from Gaithersburg, Maryland, was present during the interview and was identified as MR. OSBORN'S attorney at this time as well as during MR. OSBORN'S testimony in February, 1975, before the Rockefeller Commission hearings in Washington, D. C. ~~(S)~~ (U)

MR. HOWARD J. OSBORN, [REDACTED] was advised by ROLAND M. COCKER, Special Agent, Federal Bureau of Investigation, of the nature of the interview which pertains to a Civil Rights investigation being conducted at the request of the Civil Rights Division, United States Department of Justice, and concerning an allegation of plans for and entry of offices located in Fairfax, Virginia, on or about February 20, 1971 by employees of the Central Intelligence Agency, (CIA), and others. ~~(S)~~ (U)

b3 per CIA
b6

MR. OSBORN was orally advised of the contents of the Advice of Rights form which was then presented to him for his information and signature. He then gave the form to MR. DE BELIUS who advised him not to sign the form. ~~(S)~~ (U)

MR. OSBORN returned the form to the interviewing Agents and stated, "Upon the advice of counsel, I decline to sign the form." ~~(S)~~ (U)

MR. DE BELIUS then spoke for his client by stating that everything that MR. OSBORN knows about the incident was furnished, under oath, to the Rockefeller Commission in February, 1975, in great and definitive detail and there is nothing further or corrective that can be added to the sworn testimony already given. He commented that his client had reviewed all information pertaining to the incident, prior to his testimony before the Rockefeller Commission and all information was fresh and accurate at that time. Possible human memory failure or inaccurate statements which MR. OSBORN might make at this time could result in inconsistencies with his sworn testimony. ~~(S)~~ (U)

MR. OSBORN commented that he desires to be cooperative in this investigation, however, he must accept the advice of counsel and decline to answer questions pertaining to this ~~(S)~~ (U)

Interviewed on 9/17/75 at McLean, Virginia File # AX 44-183

by SA [REDACTED]
SA ROLAND M. COCKER RMC:klh Date dictated 9/17/75

b6 per FBI
b7C

5

~~SECRET~~

~~SECRET~~

incident. ~~(S)~~ (U)

MR. OSBORN provided the following descriptive information concerning himself: ~~(S)~~ (U)

Name:

HOWARD J. OSBORN

Residence:

[Redacted]

b3 per CIA
b6

Date of Birth:

Place of Birth:

Occupation:

Retired. Director of Security

[Redacted]

~~(S)~~ (U)

Race:

Height:

Weight:

Hair:

Eyes:

Marital Status:

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~

10/3/75

Date of transcription

1

On September 23, 1975, EARL HARTER, [redacted]
[redacted] telephonically advised
that he wanted to contact the Central Intelligence Agency
(CIA) Office of General Counsel, prior to consenting to
an interview by the Federal Bureau of Investigation (FBI).
HARTER stated he would recontact the Alexandria FBI Office
after conferring with CIA legal counsel. (S) (U)

b3 per CIA

b6

Interviewed on 9/23/75 at Alexandria, Virginia File # AX 44-183

by SA [redacted] dcb Date dictated 9/29/75

b6 per FBI

b7C

8

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/3/751~~SECRET~~

On September 30, 1975, EARL HARTER was telephonically contacted by Special Agent [redacted]. HARTER advised he contacted [redacted] Central Intelligence Agency (CIA), Office of General Counsel, and was informed the CIA was continuing its efforts to provide legal counsel for its former employees. [redacted] indicated HARTER would be contacted once it was determined whether CIA could provide legal counsel. HARTER declined to be interviewed by the Federal Bureau of Investigation (FBI) pending the final CIA decision on legal counsel.

b6 per FBI

b7C

b3 per CIA

b6

(S) (U)

Interviewed on 9/30/75 at Alexandria, Virginia File # AX 44-188by SA [redacted]: dcb Date dictated 10/3/75

b6 per FBI

b7C

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/6/751~~SECRET~~

On October 3, 1975. EARL HARTER telephonically contacted Special Agent [redacted] Alexandria Federal Bureau of Investigation Office and provided the following information: ~~(S)~~ (U)

b6 per FBI
b7C

HARTER was advised by [redacted] Central Intelligence Agency (CIA), Office of General Counsel, that CIA Director WILLIAM COLBY transmitted a letter to the United States Attorney General EDWARD LEVI requesting the Department of Justice furnish legal counsel to all CIA employees and former employees required to testify before Senate Committees. COLBY also requested legal counsel be provided for CIA employees to whom the Federal Bureau of Investigation (FBI) has expressed an interest in interviewing. ~~(S)~~ (U)

b3 per CIA
b6

HARTER stated that until the question of legal counsel is resolved, he will not submit to an interview by the FBI. ~~(S)~~ (U)

Interviewed on 10/3/75 at Alexandria, Virginia File # AX 44-183

by SA [redacted] dcb

Date dictated 10/3/75b6 per FBI
b7C

10

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~Date of transcription 9/30/75

1.

NEWTON SCOT MILER, also known as SCOTTY MILER, Consultant, Central Intelligence Agency (CIA), McLean, Virginia, after being advised of the identities of the interviewing Agents was informed of the purpose of the interview and was furnished a form entitled "Interrogation; Advice of Rights" which he read and affixed his signature thereto. (S) (U)

Mr. MILER said he first became associated with CIA in October, 1946, when the Agency was known as the Strategic Service Unit (SSU). He said from approximately July 1, 1969, until the time he retired on January 31, 1974, he was Chief of Operations, Counter Intelligence (CI) Staff and worked under Mr. JAMES ANGLETON, who was Chief of CI.

[REDACTED] b3 per CIA
[REDACTED] (S) b6

Mr. MILER when questioned regarding his knowledge of the surreptitious entry of the Roland Photographic Studios in Fairfax City, Virginia, in February, 1971, by agents of the CIA stated that he had no knowledge of this incident, did not participate in either the incident itself or any of the plans leading up to it. According to Mr. MILER the first he knew anything about this matter was when he read the newspaper account of it which he believes appeared sometime within the last year. (S) (U)

In conclusion, Mr. MILER said that since he knew nothing of the entry in question he therefore had no knowledge of any other domestic surreptitious entries by the CIA people who participated in it and he felt sure that no one in his CI component had any knowledge of any such activity. (S) (U)

The following physical description of Mr. MILER was obtained through interview and personal observation: (S) (U)

Date and Place of Birth:

Race:

Sex:

Height:

[REDACTED]

b3 per CIA

(S) b6

Interviewed on 9/29/75 at McLean, Virginia File # AX 44-183

by SA EDWARD C. RUDIGER
SA CODY HEBER SMITH ECR:krl Date dictated 9/30/75

11

~~SECRET~~

~~SECRET~~

AX 44-183
2.

Weight:
Hair:
Eyes:
Address:



b3 per CIA

b6

~~(S)~~ (U)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~Date of transcription 9/17/751

[redacted] was telephoned at 9:20 a.m. for a suitable time for an interview concerning the "Siesta" project. [redacted] advised that he desired to cooperate completely in this matter in spite of his having no recollection of any participation in the planning of or participation in the project. (S) (U)

It was decided that Wednesday afternoon, September 17, 1975, would be a suitable time to meet with [redacted] for the purpose of further discussing this matter. (S) (U)

Interviewed on 9/15/75 at McLean, Virginia File # AX 44-183

by SA ROLAND M. COCKER:bjm Date dictated 9/16/75

13

FEDERAL BUREAU OF INVESTIGATION

1

~~SECRET~~Date of transcription 9/18/75

[redacted]
[redacted] was interviewed at his request at his place of business, [redacted]

b3 per CIA
b6

[redacted] where he described himself as the Regional Manager of this firm. ~~(S)~~ (U)

[redacted] was advised by Special Agent ROLAND M. COCKER of the nature of the Civil Rights investigation which has been requested by the Civil Rights Division, United States Department of Justice and which concerned an allegation of entry of offices in Fairfax, Virginia, by employees of the Central Intelligence Agency (CIA) while he was employed there, on or about February 20, 1971.

b3 per CIA
b6

[redacted] was advised of the contents of information contained on the Advice of Rights form and then offered to him for his reading and signature which he acknowledged with his signature. ~~(S)~~ (U)

[redacted] stated that he was employed with CIA as Chief of Investigations Division from 1970 until July 1, 1972, when he retired. In that position, he was responsible for the supervision and management of investigations concerning [redacted] employees with the CIA. He stated that he was not made aware of nor did he have a need to be made aware of individual investigations with which the CIA might become involved. ~~(S)~~ (U)

b3 per CIA
b6

[redacted] advised that when he read of the incident in the newspapers, it was completely alien to him and he reiterated that he had no knowledge of it. He volunteered that when he was approached by investigators for the Rockefeller Commission, he advised them that he had no knowledge of the incident and thereafter signed a waiver to that effect and did not testify before the Rockefeller Commission. ~~(S)~~ (U)

b3 per CIA
b6

The following physical description was obtained ~~(S)~~ (U)

Interviewed on 9/16/75 at Falls Church, Virginia File # AX 44-183

by SA ROLAND M. COCKER
SA CODY HEBER SMITH

RMC/pah Date dictated 9/16/75

14

~~SECRET~~

AX 44-183

2

~~SECRET~~

concerning [REDACTED]:

~~(S)~~ (U)

b3 per CIA

b6

Date of Birth:

Residence:

Employment:

[REDACTED]

Regional Manager,

[REDACTED]

Height:

Weight:

Hair:

Eyes:

Complexion:

Military:

[REDACTED]

b3 per CIA

b6

~~(U)~~ (S)

Previous Employments:

United States Army
October, 1941-August, 1945,
Counterintelligence Corps.
United States Department of
State,
Security Attache,
March, 1946 to 1950

b3 per CIA

b6

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

1

~~SECRET~~Date of transcription 10/9/75

[redacted] who is employed as [redacted] [redacted] Fairfax, Virginia, Police Department, was interviewed in the office of his attorney, Mr. ROBERT C. WHITESTONE, 4057 Chain Bridge Road, Fairfax, Virginia. At the beginning of this interview, SA CODY HEBER SMITH advised Mr. WHITESTONE and [redacted] of the identity of the interviewing agents b6 per FBI and of the purpose of this interview. SA SMITH also advised b7C them of the rights of [redacted] as contained in the form captioned "Interrogation; Advice of Rights." Mr. WHITESTONE reviewed this form and then handed it to [redacted] for review. [redacted] read the form and stated that he understood it but that he desired not to sign it on the advice of his attorney. ~~(S)~~ (U)

Mr. WHITESTONE then asked that the scope of this investigation be explained to him and to [redacted] and SA SMITH furnished this information to Mr. WHITESTONE. Mr. WHITESTONE stated that he had prepared a letter addressed to SA SMITH concerning the participation of [redacted] in the investigation of the break-in of a photography studio located on Main Street, Fairfax, Virginia. He furnished this letter to the agents and this letter is set out in full as follows: ~~(S)~~ (U)

Interviewed on 10/3/75 at Fairfax, Virginia File # AX 44-183

by SA CODY HEBER SMITH
SA [redacted] CHS/pah Date dictated 10/9/75

16

~~SECRET~~b6 per FBI
b7C

ROBERT C. WHITESTONE
ATTORNEY & COUNSELOR AT LAW
4057 CHAIN BRIDGE ROAD
THE LAW BUILDING, SUITE 302
FAIRFAX, VIRGINIA 22030
TELEPHONE 591-6153 & 591-6863
AREA CODE 703

~~SECRET~~

October 3, 1975

Special Agent Cody Smith
Federal Bureau of Investigation
Alexandria, Virginia

Dear Agent Smith:

As his attorney, [] of the
Fairfax City Police Department, has authorized the
undersigned to issue the following statement in his
behalf.

b6 per FBI
b7C

[] has been advised that he is under
investigation regarding the alleged entry in February,
1971, of a photo studio located on Main Street,
Fairfax, Virginia.

b6 per FBI
b7C

With regard to the said investigation, []
[] in no way participated in the entry of the
said studio nor did he conspire with anyone to
effect entry into the said premises.

b6 per FBI
b7C

[] only connection with the building
in which the studio was located was as follows:

b6 per FBI
b7C

Approximately two weeks before the alleged entry,
[] immediate supervisor instructed him to
assist two employees of the Central Intelligence
Agency in establishing what [] believed to
be a routine visual surveillance of the said building.
The surveillance was maintained from a site across
Main Street. [] took the said employees
of the Central Intelligence Agency to the site from
which point surveillance was maintained and assisted
them in transporting their equipment. At no time
was [] advised of the purpose or scope of

b6 per FBI
b7C~~SECRET~~

~~SECRET~~

the surveillance. In fact, it was [] impression that a book store located on the ground floor was the object of the surveillance.

b6 per FBI
b7C

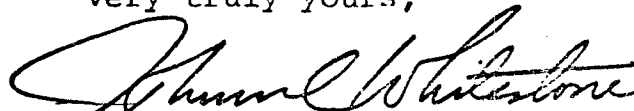
On the night of the incident under investigation, [] was off duty and had absolutely no knowledge of the events which allegedly transpired. At no time before or after the commencement of his employment as a Police Officer has [] conspired with any person or persons to violate the civil rights of anyone.

b6 per FBI
b7C(U) ~~(S)~~

[] regards any suggestion that he is in any way involved in any illegal activities to be libelous and he intends to vigorously defend his unblemished reputation as an honest, law-abiding, dedicated Police Officer.

b6 per FBI
b7C

Very truly yours,


Robert C. Whitestone

RCW/kvj

~~SECRET~~

~~SECRET~~

4

Mr. WHITESTONE asserted that [] had told him that he [] did not have any additional participation or knowledge of the entry of the studio, other than what is set out in the above letter. He said that [] had no information at all or participation in the plans leading up to the entry. He declared that [] did not have any information concerning what the group ordering and performing the entry hoped to learn thereby, since he did not participate in the planning of it. He also stated that [] did not have any knowledge of any other surreptitious entries on the part of this group, since he had no knowledge as to who the members of the group were. He stated further that [] did not have any part in a plan to enter an apartment in Washington, D.C. Upon furnishing this information, Mr. WHITESTONE turned to [] and asked him if the above statements were correct and [] said that yes they were correct. (S) (U)

b6 per FBI
b7C

Mr. WHITESTONE reported that at the time of the entry, [] had no additional information concerning the involvement of the Fairfax Police in this matter. He stated that he would advise [] not to make any statements at this time as to whether any information produced by the Central Intelligence Agency (CIA) investigation and surveillance of the photo studio was passed on to the Fairfax Police for its own use. Once again, he asked [] if this was correct and [] affirmed that it was correct. (S) (U)

b6 per FBI
b7C

Mr. WHITESTONE asserted that he and [] desired to be cooperative concerning this investigation, but that he was advising [] not to make any additional statements concerning this matter at this time. (S) (U)

b6 per FBI
b7C

Mr. WHITESTONE said he wished to report that [] at the time of the entry and that he [] but was only an investigator with no supervisory or policy making responsibilities. (S) (U)

b6 per FBI
b7C

The following physical description of [] was obtained from interview and observation: (S) (U)

b6 per FBI
b7C~~SECRET~~

AX 44-183

5

~~SECRET~~

Name
Sex
Race
Date of Birth
Height
Weight
Build
Complexion
Eyes
Hair
Employment

Occupation



b6 per FBI
b7C

(S) (U)

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/16/75~~SECRET~~

[redacted] was informed of the identities of the interviewing Agents as well as the fact that he was being interviewed concerning a possible federal violation in connection with the Civil Rights Act. At the beginning of the interview he was advised of his rights by SA [redacted] and waived them as shown on an executed Warning and Waiver Form.

b3 per CIA
b6

(U)

b6 per FBI
b7C

[redacted] advised he retired from the Central Intelligence Agency (CIA) on May 31, 1972. (S) (U)

b3 per CIA
b6

[redacted] believes that in February, 1971, he was Deputy Chief, Operational Support Division, CIA. (S) (U)

b3 per CIA
b6

[redacted] advised he had no knowledge of CIA activities directed against the Roland Studios, Fairfax, Virginia, under the code name "Project Siesta." [redacted] was unaware that the Roland Studio was under physical surveillance, and he learned of the surreptitious entry only after reading of the incident in the local newspaper. [redacted] knew of no CIA plan to illegally enter [redacted] apartment located in Washington, D.C. (S) (U)

b3 per CIA
b6b6 per FBI
b7C

[redacted] recalled that on one occasion he visited the residence of a female employee residing in McLean, Virginia, for the purpose of surveying the area should a physical surveillance be required at a later date. [redacted] could not remember the female's name or the circumstances of the case. To the best of his knowledge no physical surveillance was ever undertaken. (S) (U)

b3 per CIA
b6

Through observation and interview, the following descriptive information was obtained: (S) (U)

Name	[redacted]
Race	White
Sex	Male
Date of Birth	[redacted]
Height	Six feet
Weight	185 pounds
Hair	Brown
Eyes	Brown

b3 per CIA
b6

(S) (U)

Interviewed on 9/11/75 at McLean, Virginia File # AX 44-183

by SA [redacted] clh
SA [redacted]

21

Date dictated

9/15/75b6 per FBI
b7C~~SECRET~~

AX 44-183

2

Social Security
Account Number
Residence

Home Telephone



~~SECRET~~

~~(S)~~ (U)

b3 per CIA
b6

~~SECRET~~

At McLean, Virginia~~SECRET~~

[redacted] Assistant General Counsel, Office of General Counsel (OGC), Central Intelligence Agency (CIA), McLean, Virginia, advised SA EDWARD C. RUDIGER on September 17, 1975, that he still could not make available for interview any current agency employees in this matter since his office was continuing its attempts to obtain private attorneys for them. [redacted] said that OGC had already made contact with the head of the District of Columbia Bar Association and hoped to contact the Virginia Bar Association. He said they in turn would canvass their members to determine who among them would on a pro bono basis represent the employees which the Justice Department requested the FBI to interview in this case. [redacted] could give no estimate as to how much time would be consumed in this process, but once again SA RUDIGER attempted to impress upon him the necessity for the Bureau to bring the investigation of this matter to a logical conclusion at the earliest possible moment. [redacted] reiterated that he understood this and at such time as these interviews could be conducted he would advise SA RUDIGER. (S) (U)

b3 per CIA
b6

On October 2, 1975, SA EDWARD C. RUDIGER contacted [redacted] Office of General Counsel (OGC), Central Intelligence Agency (CIA), McLean, Virginia, relative to the status of the availability of the [redacted] current CIA employees who have yet to be interviewed in this case. [redacted] said, in this regard, that about a week ago Director WILLIAM E. COLBY of CIA had written a letter to the Attorney General of the United States in which he made reference to the various inquiries and investigations of the Agency and its employees being presently conducted by the two committees of Congress, the FBI and the Department of Justice itself. [redacted] said that until his agency receives a response to Director COLBY's letter from Attorney General LEVI, no progress can be expected in making additional CIA personnel available for interview. (S) (U)

b3 per CIA
b6

On October 10, 1975, SA EDWARD C. RUDIGER contacted [redacted] OGC, CIA, McLean, Virginia, regarding the availability of the some [redacted] CIA employees yet to be interviewed in this case. (S) (U)

b3 per CIA
b6~~SECRET~~

~~SECRET~~

[] advised that his Agency as yet still has had no response to its letter to the Attorney General (AG). [] further advised that this past Tuesday, October 1, 1975, [] Assistant AG, Criminal Division, U. S. Department of Justice, was at CIA Headquarters in McLean, Virginia, According to [] at this time he made it clear to [] that all FBI interviews of CIA employees currently under investigation were being held up pending receipt of a response from the Department of Justice to the letter CIA Director COLBY sent to the AG over a week ago regarding counsel for these employees. | (S) (U)

b3 per CIA
b6 per CIA & FBI
b7C per FBI

The Globe newspaper, dated September 25, 1975, contained an article which bore the caption, "Studio Owners to Sue in CIA-Police Break-in." | (S) (U)

A copy of this article is set out as follows: | (S) (U)

~~SECRET~~

~~SECRET~~

(Mount Clipping in Space Below)

Studio Owners to Sue In CIA-Police Break-in

by Joseph Gatins

Two young Washington film makers have decided to file a civil rights suit alleging invasion of privacy and unlawful trespass against the Central Intelligence Agency, the Fairfax City Police Department and "all individuals" known or thought to have been involved in a

reportedly joint CIA-city police break-in of the couple's Fairfax City photography studio in 1971.

"We're getting real close to a conclusion on it (the suit's filing)," said Washington-based attorney Ely Hurwitz, the lawyer for Orlando Nunez de Villavicencio del Toro and Deborah J. Fitzgerald — now owners of a film studio in the District.

"We'll just go ahead with the suit and try to get some information through discovery," the lawyer said.

Hurwitz said he had so far been stymied in his efforts to obtain more information concerning the break-in, which was first made public in the Rockefeller Commission Report on CIA Domestic activities released this June. His appeals for information under the federal Freedom of Information Act (FOI) Act, Hurwitz said, have been rebuffed by the Justice Department, the CIA and the White House.

Hurwitz, who filed an FOI request with the CIA, was told by the agency that material relating to his clients was "classified" and therefore exempt from the provisions of the act.

As matters stand now, no one has publicly and officially explained the break-in, or the motives for the attempt, or whether anything was found or taken during the incident.

The Rockefeller Commission report alluded to the incident as a joint police-CIA surreptitious break-in, "at night, without a warrant, to photograph some papers." Developments in the case, are as follows:

• Fairfax Commonwealth's Attorney Robert F. Horan, who has said he was conducting an investigation of the break-in at what was then the Fitzgerald-Nunez-owned Roland Studio at 10419 Main St. in Fairfax, has been told by the Justice Department that they will withhold any information on the break-in from the local prosecutor until their own investigation is complete.

• Fairfax City Police Corporal Robert L. Fleck received a promotion to sergeant since he announced in two press conferences on June 12 that he was involved in the Roland Studio, joint CIA-city police break-in. Fleck's lawyer, Republican candidate for Fairfax Commonwealth's Attorney

Gilbert K. Davis, said that he has been told that his client will not be prosecuted by the Justice Department for his involvement in the matter.

• Former Fairfax City Police Chief Maj. Murray Kutner, implicated by Fleck in the break-in occurring in February 1971, retired from the force in January. He now lives in Florida. Contacted by telephone this week, Kutner said he was "not making any comments." Was he enjoying his retirement? "Not too good," he said, "it's shocking — all this stuff — after 35 years (of police work)."

• Kutner's successor, Police Maj. Leonard P. Kline has been voted \$3,000 from the city to help defray any legal expenses the chief may incur in connection with investigation of the incident. The FBI confirms that it has spoken to Kline regarding the break-in. Kline himself has previously denied any participation in the break-in. He is now represented by Arlington attorney Louis Koutoulakos.

• Fairfax City Council member Walter L. Stephens Jr. voted against the \$3,000 appropriation because, in part, he believes that "there

is a small Watergate-type situation developing as a result of this alleged incident, and I do not wish for anyone to think that I, in any way, support or condone it, for I absolutely do not, and I do not believe that this city government should, directly, or indirectly, do so either."

The CIA has consistently refused to comment on the incident or to amplify on the findings of the Rockefeller Commission.

While Nunez has steadfastly denied any past or present, direct or indirect, personal tie to the CIA, Deborah Fitzgerald, now his wife, is the daughter of a CIA employee.

She herself worked as a part-time file clerk with the Langley-headquartered agency for several years

prior to the break-in.

Asked for comment this week, her father, Christopher Fitzgerald of Fairfax, said "the problem has nothing to do with me. I have no idea (concerning the break-in) whatsoever."

According to an Army spokesman, Nunez, born in Cuba in 1940, attended two military prep schools in Georgia and Tennessee during his youth before joining the U.S. Army in 1960.

Before enlisting, according to press accounts, the 34-year-old Nunez briefly spent time in the Cuban military under Fidel Castro.

Listed as AWOL and a deserter by U.S. Military authorities in the fall of

1960, Nunez then resurfaced in Cuba, according to Hurwitz, as a "public relations" official for the Havana waterworks.

The U.S. Army then picked him again in the U.S. Canal Zone, the spokesman said, on June 20, 1963.

He was given a "less than honorable" discharge in New Orleans, La. in September of that year, according to an army spokesman. Nunez's appeal of the discharge decision

was heard by the Army here, and upheld in August 1965 with Nunez then living in Miami.

Nunez lived in Chicago, Ill. before coming to Northern Virginia in the late 1960's.

(Indicate page, name of newspaper, city and state.)

Globe

Page 1

Date: 9-25-75

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office:

~~SECRET~~~~SECRET~~

Assoc. Dir. _____
Dep.-A.D.-Adm. _____
Dep.-A.D.-Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

FBI

~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.~~

Date: 10/24/75

~~SECRET~~

Transmit the following in _____

(Type in plaintext or code)

Via A I R T E L

(Priority)

TO: DIRECTOR, FBI (44-66042)
(ATTN: ACCOUNTING AND FRAUD SECTION)

FROM: SAC, ALEXANDRIA (44-183)(P)

RICHARD HELMS,
ET AL:

[REDACTED]

VICTIMS

CIVIL RIGHTS
(OO: ALEXANDRIA)

CLASSIFIED BY 39063
DECLASSIFY ON: 25X

ReAXrep of SA CODY HEBER SMITH, 10/16/75.

[REDACTED] Office of General Counsel (OGC), Central Intelligence Agency (CIA), McLean, Virginia, upon successive contacts by SA EDWARD C. RUDIGER on 10/23 and 10/24/75, advised on 10/24/75, that after conferring with his superior, JOHN S. WARNER, CIA, General Counsel, it had been decided that the OGC should go ahead and begin making available to the FBI those current CIA employees yet to be interviewed in this case. [REDACTED] said he would begin making telephone calls this same afternoon to the "pro bono" counsel who have made themselves available to represent those employees to be interviewed by the Bureau in this matter. [REDACTED] added that he was not sure how many counsel were available as yet nor that there were enough to represent all 33 of the employees involved. He said, however, that he hoped to be able to contact enough so that the interviews of some of these people could commence sometime next week. [REDACTED] stated that he would be in touch with SA RUDIGER during the week of 10/28/75, to advise him of the progress made and hopefully to begin making their people available for interview.

2-Bureau
2-Alexandria
ECR:krl
(4)

CLASSIFIED BY 3055 REC-29

EXEMPT FROM GDS, CATEGORY 1 (2) (3) 4

DATE OF DECLASSIFICATION INDEFINITE NOV 7 1975

~~SECRET~~

Sent _____ M Per _____
Special Agent in Charge

~~SECRET~~

AX 44-183

~~SECRET~~

The Bureau will be kept abreast of all pertinent developments in this matter on a continuing basis.

~~SECRET~~

~~SECRET~~

F B I

Date: 10/3/75

Transmit the following in _____
(Type in plaintext or code)Via A I R T E L _____
(Priority)TO: DIRECTOR, FBI (44-66042)
(ATTN: ACCOUNTING AND FRAUD SECTION)

FROM: SAC, ALEXANDRIA (44-183)(P)

RICHARD HELMS,
ET AL:[REDACTED] VICTIMS
CIVIL RIGHTS
(OO: ALEXANDRIA)b3 per CIA
b6 per CIA & FBI
b7C per FBI

ReAXrep of SA CODY HEBER SMITH, 9/16/75.

On 10/2/75, SA EDWARD C. RUDIGER contacted [REDACTED] Office of General Counsel (OGC), Central Intelligence Agency (CIA), McLean, Virginia, relative to the status of the availability of the [REDACTED] current CIA employees who have yet to be interviewed in this case. [REDACTED] said, in this regard, that about a week ago Director WILLIAM E. COLBY of CIA had written a letter to the Attorney General of the United States in which he made reference to the various inquiries and investigations of the Agency and its employees being presently conducted by the two committees of Congress, the FBI and the Department of Justice itself. [REDACTED] said that until his agency receives a response to Director COLBY's letter from Attorney General LEVI, no progress can be expected in making additional CIA personnel available for interview.

b3 per CIA
b6

Due to the general nature of the information furnished by [REDACTED] in reference to Director COLBY's communication with the Attorney General, SA RUDIGER contacted another CIA official, [REDACTED]

b3 per CIA
b6

2-Bureau
2-Alexandria
ECR:krj
(4)

10/4/75

OF ABOVE C...

Date of Declassification Indefinite

Approved: K/WJD
Special Agent in Charge

Sent

M

Per

AX 44-183

a personal contact of SA RUDIGER, who is not in the OGC and who requested that his identity not be divulged outside of the Bureau, said that Mr. COLBY made several points in this letter. One being that all of the actions taken by CIA employees in the matters under investigation concerned bona fide Agency approved operations. Secondly, that under ordinary circumstances if CIA people as government employees had charges brought against them by some outside agency or individual, in connection with the performance of their official duties, they would be afforded legal representation by the Justice Department. COLBY further stated that he realizes this is obviously not possible under the current circumstances and he noted that CIA has not been successful in obtaining private legal counsel for these people through the local bar associations on a pro bono basis.

In view of the above, COLBY requested the Attorney General to render an opinion as to the advisability of CIA utilizing some of its "reserve funds" to obtain representation for all of its employees involved in these inquiries.

The above is for the Bureau's information and the Bureau will be kept advised of any future developments.

F B I

Date: 10/31/75

Transmit the following in _____
(Type in plaintext or code)Via A I R T E L _____
(Priority)

Assoc. Dir.	_____
Dep.-A.D. Adm.	_____
Dep.-A.D. Inv.	_____
Asst. Dir.:	_____
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

TO: DIRECTOR, FBI (44-66042)
FROM: SAC, ALEXANDRIA (44-183)(P)

RICHARD HELMS,
ET AL:

[REDACTED] - VICTIMS
CIVIL RIGHTS

b3 per CIA
b6 per CIA & FBI
b7C per FBI

[REDACTED] Office of General Counsel (OGC), CIA, McLean, Virginia, advised on 10/29/75, that he had located some attorneys who were available to represent the various CIA people involved in captioned case. He said he had not put these attorneys in touch with their CIA clients as yet but would make arrangements to do this through [REDACTED], Deputy Director of Security, Personnel Security and Investigations, CIA. [REDACTED] requested that SA RUDIGER on 10/30/75, contact [REDACTED] for further arrangements as to the outstanding interviews in this matter.

b3 per CIA
b6

On 10/30/75, SA RUDIGER contacted [REDACTED] at which time he furnished the names of the following current CIA employees to whom counsel had been made available and therefore could now be contacted by Bureau Agents to set up interviews in this matter:

b3 per CIA
b6

Employee

REC 4

Attorney

WILLIAM TAYLOR

NOV 11 1975

b3 per CIA
b6

2-Bureau
2-Alexandria
ECR:krl
(4)

CLASSIFIED BY 6095

EXEMPT FROM GDS, CATEGORY 1-2

DATE OF DECLASSIFICATION INDEFINITE

~~SECRET~~

Approved: [Signature]
Special Agent in Charge

Sent _____ M Per _____

~~SECRET~~

AX 44-183

[redacted]
employee who [redacted]
requested that the interview
be set up through his office.

STEVE GRAFMAN

[redacted]
[redacted]
[redacted] will set up interview
at FBI Alexandria's request..

JAMES BIERBOWER

JAMES LYONS

b3 per CIA
b6

[redacted]
[redacted]

PHILLIP KELLOG

STEVE GRAFMAN

[redacted] advised that former CIA employees
[redacted] died on 9/14/75, in Fairfax County Hospital,
Fairfax County, Virginia, and [redacted] died 5/13/75,
in Arlington, Virginia, U

b3 per CIA
b6

[redacted] after discussing the matter of making
additional people available for interview in this case on
an expeditious basis agreed to personally attempt to contact
the remaining CIA employees to ascertain if they actually
would desire an attorney or would be agreeable to be interviewed
by the FBI without being represented by counsel. U

b3 per CIA
b6

[redacted] U Alexandria will verify deaths of [redacted] and
[redacted]

b3 per CIA
b6

Alexandria will interview all CIA employees as
soon as possible. U

~~SECRET~~

FD-36 (Rev. 2-14-74)

FBI

Date: 11/4/75

Transmit the following in _____

SECRET

(Type in plaintext or code)

Via AIRTEL

(Precedence)

Assoc. Dir. _____
Dep.-A.D.-Adm. _____
Dep.-A.D.-Inv. _____
Asst. Dir.: _____
Admin. _____
Comp. Syst. _____
Ext. Affairs _____
Files & Com. _____
Gen. Inv. _____
Ident. _____
Inspection _____
Intell. _____
Laboratory _____
Plan. & Eval. _____
Spec. Inv. _____
Training _____
Legal Coun. _____
Telephone Rm. _____
Director Sec'y _____

TO: DIRECTOR, FBI (44-66042)
FROM: SAC, ALEXANDRIA (44-183) (P)
RICHARD HELMS,
ET AL;

CIVIL RIGHTS

VICTIMS

~~SECRET~~
CLASSIFIED BY 38063 ~~Class~~ BCEP
DECLASSIFY ON 25X
5-11-01
b3 per CIA
b6 per CIA & FBI
b7C per FBI

Re Alexandria airtel to the Bureau, 9/10/75. U

Referenced airtel contained two copies of a cover memo and a list of names of 11 former employees of CIA who are now retired. One of the names on this list was [redacted] who retired 6/29/73. His residence is listed as [redacted], telephone number [redacted].

A lead to interview [redacted] by WFO was inadvertently omitted by Alexandria. X (U)

LEADS:

WFO

AT WASHINGTON, D. C. Will interview [redacted] concerning his involvement in this matter. X (U)

2. Will submit results of interview to the Bureau and Alexandria in report form.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

- ② - Bureau
 - 2 - WFO (44-1044)
 - 2 - Alexandria
- CHS:kih
(6)

~~SECRET~~

Approved: KI/a
Special Agent in Charge

Sent

NOV 12 1975

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE BALTIMORE	OFFICE OF ORIGIN ALEXANDRIA	DATE 10/6/75	INVESTIGATIVE PERIOD 10/6/75
TITLE OF CASE RICHARD HELMS AND OTHERS; [REDACTED] - VICTIMS		REPORT MADE BY SA [REDACTED]	TYPED BY b6 per FBI b7C
		CHARACTER OF CASE CIVIL RIGHTS	b3 per CIA b6 per CIA & FBI b7C per FBI

REFERENCES:

Bureau airtel to Alexandria, 9/18/75.

Baltimore report of SA [REDACTED] 9/16/75.

b6 per FBI
b7C

(P)

ADMINISTRATIVE DATA:

Interviewees advised this investigation being conducted at the specific request of the United States Department of Justice

LEAD:

BALTIMORE DIVISION

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES				
APPROVED <i>[Signature]</i>						SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: ② - Bureau - 1 Xerox 2 - Alexandria (44-183) 3 - Baltimore (44-1208)						44-66042-25 REC-45 23 OCT 9 1975 ST 109		
Dissemination Record of Attached Report						Notations		
Agency	ICRD BY 070 (13)					IMMEDIATE SIX DATA PROC b6 per FBI b7C		
Request Recd.	11/2/75 977N: [REDACTED]							
Date Fwd.	[REDACTED]							
How Fwd.	1- T. ROTH [REDACTED]							
By	[REDACTED]							

BA 44-1208

AT [REDACTED]

Will recontact [REDACTED] and [REDACTED]
[REDACTED] re captioned matter.

b3 per CIA
b6

B*
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation

Copy to:

Report of: SA [redacted]
Date: October 6, 1975
Field Office File #: BA 44-1208
Title: RICHARD HELMS AND OTHERS;
[redacted] - VICTIMS

Office: Baltimore

b6 per FBI
b7C

Bureau File #:

Character:

CIVIL RIGHTS

Synopsis:

[redacted]
[redacted] and [redacted]
[redacted] were contacted on
10/6/75 and each stated that they had not yet con-
sulted with their attorneys, and therefore, did not
wish to discuss this matter with the FBI. Each
indicated when they have discussed this matter with
their attorneys, they would contact the FBI re their
decisions. U

b3 per CIA
b6

(P)

DETAILS:

On October 6, 1975, [redacted]

[redacted] telephone number [redacted]
[redacted] and [redacted]
[redacted] telephone number [redacted] were recontacted and both
indicated they had not yet had an opportunity to consult with
their attorneys regarding this matter. Each stated that as
soon as they have an opportunity to discuss this matter they
would recontact the FBI regarding their decisions. U

b3 per CIA
b6

0-79 to ALEX, BALT.
to declassify
12-15-76
DMU/af 1*

Classified by [redacted]
Exempt from [redacted]
Date of review [redacted]

~~SECRET~~

~~SECRET~~

FD-263 (Rev. 1-7-72)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WASHINGTON FIELD	OFFICE OF ORIGIN ALEXANDRIA	DATE 10/2/75	INVESTIGATIVE PERIOD 9/25/75 - 10/1/75
TITLE OF CASE RICHARD HELMS, AND OTHERS; <div style="border: 1px solid black; width: 200px; height: 30px; margin-top: 5px;"></div> VICTIMS		REPORT MADE BY RICHARD W. HOUSTON	TYPED BY mpr
		CHARACTER OF CASE CIVIL RIGHTS	b3 per CIA b6 per CIA & FBI b7C per FBI

REFERENCE: Alexandria airtel to Bureau dated 8/27/75.
Alexandria airtel to Bureau dated 9/10/75.
Alexandria airtel to Bureau dated 9/10/75.
WFO report dated 9/16/75.

-P-

LEAD

WASHINGTON FIELD OFFICE

AT WASHINGTON, D.C. Will interview RICHARD OBER, White House, Washington, D.C., concerning involvement or information he may have on this matter on or about 10/14/75.

ACCOMPLISHMENTS CLAIMED				<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		
						PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: ② Bureau - 1 Xerox 2-Alexandria (44-133) 1-WFO (44-1044)		44-66012-26 OCT 3 1975 11-11 McDONOUGH	

Dissemination Record of Attached Report			
Agency	Request Recd.	Date Fwd.	How Fwd.
1 CRD BY G-70	11/2/75	1-7	1m 5005
By			

59 NOV 24 1975

COVER PAGE

b6 per FBI
b7C

DATA PROC

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of: RICHARD W. HOUSTON
Date: 10/2/75

Office: Washington, D.C.

Field Office File #: 44-1044

Bureau File #:

Title: RICHARD HELMS, AND OTHERS;

[REDACTED] VICTIMS

b3 per CIA
b6 per CIA & FBI
b7C per FBI

Character: CIVIL RIGHTS

Synopsis:

On 9/25/75, ALAN COLE, Attorney for RICHARD OBER, telephonically advised that OBER could not submit to interview for a few days as OBER was tied up in Senate Hearing. On 10/1/75, COLE again advised OBER could not submit to interview as he was still testifying before the U.S. Senate, WDC. COLE advised OBER would be available and would answer questions on or about 10/14/75. U

-P-

DETAILS: AT WASHINGTON, D.C.

On September 25, 1975, ALAN COLE, Attorney for RICHARD OBER, telephonically advised that OBER could not submit to interview for a few days as OBER was tied up in Senate Hearing. On October 1, 1975, COLE again advised OBER could not submit to interview as he was still testifying before the United States Senate, Washington, D.C. COLE advised OBER would be available and would answer questions on or about October 14, 1975. U

0-79 to WFO, Alex
to declassify
2-14-76
philly
1/10/77
[REDACTED]
Exempt from GDS, Category 2, 3
Date of Declassification Indefinite

F B I

Date: 10/10/75

Transmit the following in _____
(Type in plaintext or code)Via A I R T E L _____
(Priority)

Assoc. Dir. _____
 Dep.-A.D.-Adm. _____
 Dep.-A.D.-Inv. _____
 Asst. Dir.: _____
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection _____
 Intell. _____
 Laboratory _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Telephone Rm. _____
 Director Sec'y _____

TO: DIRECTOR, FBI (44-66042)
 (ATTN: ACCOUNTING AND FRAUD SECTION)

FROM: SAC, ALEXANDRIA (44-183)(P)

RICHARD HELMS,
 ET AL:

[REDACTED] VICTIMS
 CIVIL RIGHTS
 (OO: ALEXANDRIA)

b3 per CIA
 b6 per CIA & FBI
 b7C per FBI

ReAXairtel to Bureau, 10/3/75.

On 10/10/75, SA EDWARD C. RUDIGER contacted [REDACTED] Office of General Counsel (OGC), Central Intelligence Agency (CIA), McLean, Virginia, regarding the availability of the some [REDACTED] CIA employees yet to be interviewed in this case.

b3 per CIA
 b6

[REDACTED] advised that his Agency as yet still has had no response to its letter to the Attorney General (AG) which Alexandria referred to in referenced airtel. [REDACTED] further advised that this past Tuesday, 10/7/75, [REDACTED] Assistant AG, Criminal Division, U. S. Department of Justice (USDJ), was at CIA Headquarters in McLean, Virginia. According to [REDACTED] at this time he made it clear to [REDACTED] that all FBI interviews of CIA employees currently under investigation were being held up pending receipt of a response from the USDJ to the letter CIA Director COLBY sent to the AG over a week ago regarding counsel for these employees.

b3 per CIA
 b6 per CIA & FBI
 b7C per FBI

The above is for the additional information of the Bureau.

2-Bureau
 2-Alexandria
 ECR:krl
 (4)

EX-104
 REC-9
 EXEMPT FROM GDS, 6-27-2007
 DATE OF DECLASSIFICATION INDEFINITE

SECRET

59 DEC 147

3 1975

Approved: [Signature] Special Agent in Charge

Sent _____ M Per _____

~~SECRET~~

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-02-2015 BY F54M93K42 ADG

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ALEXANDRIA	OFFICE OF ORIGIN ALEXANDRIA	DATE 11/26/75	INVESTIGATIVE PERIOD 11/3/75 - 11/25/75
TITLE OF CASE RICHARD HELMS; ET AL. [REDACTED]		REPORT MADE BY SA CODY HEBER SMITH	TYPED BY smb
VICTIM; VICTIM		CHARACTER OF CASE CIVIL RIGHTS	b3 per CIA b6 per CIA & FBI b7C per FBI

REFERENCES: Report of SA CODY HEBER SMITH at Alexandria,
10/16/75.
Alexandria airtels to Bureau 10/3/75 and 10/10/75.

- P -

CLASSIFIED BY 3695
EXEMPT FROM GDS, CATEGORY 1, 2, 3, 4
DATE OF DECLASSIFICATION: INDEFINITE

declassified
12-13-86
GTI

0-79 to Alex
to declassified
12-14-76
DMJ

ACCOMPLISHMENTS CLAIMED					XXNONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

APPROVED
COPIES MADE: 5- Bureau (44-66042)
2- Alexandria (44-183)

SPECIAL AGENT
IN CHARGE

DO NOT WRITE IN SPACES BELOW

44-66042-29

REC-89

1 DEC 2 1975

Dissemination Record of Attached Report

Agency	ICC Civil Rights Div
Request Recd.	ATTN: [REDACTED]
Date Fwd.	Hand Del. 12/11/75
How Fwd.	
By	

Notations

b6 per FBI
b7C

~~SECRET~~

61 DEC 11 1975

COVER PAGE

~~SECRET~~

~~SECRET~~

AX 44-183

ADMINISTRATIVE DATA:

(S) [] For the information of the Bureau, []
[] advised when he was interviewed []
[]

b1 per CIA
b3
b6

LEADS:

REQUEST OF BUREAU

Will determine from Departmental Attorney [] whether or not the following four CIA employees can be excused from being interviewed since CIA has requested they be excused inasmuch as they are on assignment outside the United States:

b6 per FBI
b7C



b3 per CIA
b6

ALEXANDRIA

AT MC LEAN, VIRGINIA. Will interview following CIA employees, who remain to be interviewed:

[]
[] (interview scheduled for 12/1/75)
[] (interview scheduled for 12/1/75)
[]

b3 per CIA
b6

- B* -
COVER PAGE

~~SECRET~~

~~SECRET~~

~~SECRET~~ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-02-2015 BY F54M93K42 ADGUNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION~~SECRET~~

Copy to:

Report of: SA CODY HEBER SMITH
Date: 11/26/75

Office: ALEXANDRIA, VIRGINIA

Field Office File #: 44-183

Bureau File #: 44-66042

Title: RICHARD HELMS;
ET AL:[REDACTED] - VICTIM;
[REDACTED] - VICTIMb3 per CIA
b6 per CIA & FBI
b7C per FBI

Character: CIVIL RIGHTS

Synopsis:

[REDACTED] current CIA employee, advised he operated photographic surveillance of studio in Fairfax, Va., during time of surveillance of the studio. He said that [REDACTED] and Officer KUTNER were individuals who entered studio. [REDACTED] took photos of diary found there. [REDACTED] was employed in 1971 as Special Assistant to Chief of Personnel Security Division, CIA. He stated he did not participate in plans to enter Roland Studios and did not enter studio. His only participation was in briefing some CIA employees in CIA Washington Field Office, of a problem concerning a former CIA employee. [REDACTED] current CIA employee, advised he went along on night of entry into studio as an observer. Following CIA current employees advised they participated in this CIA investigation as members of surveillance team: [REDACTED] Mr. DONALD T. BUCKLIN, attorney for former CIA employee

b3 per CIA
b6CLASSIFIED BY 3695
EXEMPT FROM GDS, CATEGORY 1 (2)(3) 4
DATE OF DECLASSIFICATION: INDEFINITEdeclassified 12/13/76
4417~~SECRET~~~~SECRET~~

~~SECRET~~

~~SECRET~~

AX 44-183

[redacted] advised he planned to contact U. S. Department of Justice concerning possibility of immunity for [redacted]. Following CIA employees declined to be interviewed upon advice of their attorneys: [redacted]

b3 per CIA
b6

[redacted] Victims have filed \$12 million dollar suit in Washington, D. C. against CIA and City of Fairfax, Virginia.

- P -

DETAILS:

~~SECRET~~

~~SECRET~~

~~SECRET~~

44-183

CHS:klh

1

The following investigation was conducted by Special Agent CODY HEBER SMITH: U

Departmental Attorney, [] advised on November 3, 1975, that it would not be necessary for agents of the Federal Bureau of Investigation to go through the formality of a personal interview with an employee of the Central Intelligence Agency, if the employee's attorney had previously advised that he would not permit his client to answer any questions under the provisions of the 5th amendment. U

b6 per FBI
b7C

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 11/13/75

[redacted] an employee of the Office of the Director of Central Intelligence, Central Intelligence Agency (CIA), was interviewed at CIA Headquarters. At the beginning of this interview he was advised by Special Agent (SA) CODY HEBER SMITH of the identity of the interviewing agents and of the purpose of the interview. [redacted] was asked if he had consulted an attorney concerning this interview, and he answered in the affirmative and replied that his attorney is JOHN E. ROGERS of the law firm of Hamilton and Hamilton, Union Trust Building, Washington, D.C., telephone number 347-2882. [redacted] was advised by SA SMITH of his constitutional rights, and he was furnished the form captioned "Interrogation: Advice of Rights," which he read and signed. [redacted] then furnished the following information:

b3 per CIA
b6

In the spring of 1971, exact dates not recalled, he was one of several CIA employees who participated in the investigation of a former CIA employee by the name of [redacted] and her boy friend. Her boy friend was a Cuban who operated a photographic studio on Main Street in Fairfax, Virginia.

b3 per CIA
b6

At that time [redacted] was assigned to the Washington Field Office of the CIA and his duties consisted of conducting investigations of various kinds. He recalled that with reference to this investigation of [redacted] [redacted] he and his fellow employees involved in this investigation attended a meeting which was conducted in the Washington Field Office. At this meeting an individual from CIA Headquarters briefed the group as to the purpose of the investigation, the mechanics to be employed in the investigation and the results which they hoped to obtain. He recalled that [redacted] was very close to this Cuban male as mentioned above and that CIA officials were concerned that

b1 per CIA
b3
b6

(S)

Interviewed on 11/12/75 at McLean, Virginia File # AX 44-133by SA CODY HEBER SMITH
SA EDWARD C. RUDIGER CHS/clh Date dictated 11/12/75~~SECRET~~

~~SECRET~~

AX 44-183

2

(S)



b1 per CIA
b3
b6

[redacted] He recalled that another purpose of this investigation was to determine if there were any other CIA personnel going to this photographic studio and thus meeting with the owner.

The CIA investigators planned to conduct daily surveillances of this photographic studio in an effort to determine if any other CIA employees were frequenting the studio. They did this by establishing across the street over an empty restaurant a photographic stationary lookout which was manned by three different CIA employees. These employees were not all there at the same time, but they alternated in this duty of manning this station. He heard that Officer KUTNER of the Fairfax City, Virginia, Police Department obtained a key to this apartment which they used for entrance to the apartment.

[redacted] was one of the three individuals involved in this photographic lookout. He was in there each day and recalled that he performed some of the physical surveillance duties of the owner and of persons leaving the studio. He was stationed at this photographic lookout from approximately 9:00 a.m. to approximately 6:00 p.m. To the best of his recollection, these are the hours which the studio was open for business. The photographers at this station used high-powered lenses to photograph persons leaving the studio, and they had a two-way radio through which they communicated to CIA employees on the street. When an individual left the studio, the street investigators would then attempt to identify the person leaving the studio by observing the car which they entered and obtaining the license number of the automobile and identifying the registered owner through the Virginia Department of Motor Vehicles (DMV). He recalled that this photographic studio was located over a record store which was frequented primarily by teenagers.

b3 per CIA
b6

~~SECRET~~

~~SECRET~~

AX 44-183

3

He thought that this investigation and surveillance went on for two or three months. His recollection was that the results were without success as far as identifying other CIA employees entering the studio.

CIA officials then decided that the studio should be entered [redacted]

b1 per CIA
b3

(S) [redacted] and to determine if any other records pertinent to this investigation could be located. Prior to the night of entry, a meeting was held and assignments were made to all individuals participating. His assignment was to ride in one of the CIA automobiles which was assigned to move continuously in the vicinity of the studio. All of the cars were equipped with two-way radios. It was his recollection that entry was made of the studio at about midnight. His recollection was that Officer KUTNER who was a high official of the Fairfax City, Virginia, Police Department, and three CIA employees were designated to enter the studio. The three CIA employees were [redacted] [redacted] who was the Senior Special Agent in this investigation, [redacted] who was a photographer, and [redacted] assignment was [redacted] enable the entry team to make entrance. [redacted] experienced a great deal of difficulty [redacted] on the door, and he thought that [redacted] was not able [redacted] [redacted] He thought that entry was finally made by Officer KUTNER and [redacted] removing the hinges from the door and making entrance in this manner.

b3 per CIA
b6

He heard that after entry was made, the entry team was unable to find anything of value and that [redacted] [redacted] photographed a diary found there which belonged to [redacted]. He did not see the photographs of this diary, but he heard that nothing of value was found in the diary. He recalled that all of the CIA employees were quite disappointed that nothing of value was found because of the great amount of time and energy they had expended in conducting this investigation.

b3 per CIA
b6

~~SECRET~~

~~SECRET~~

AX 44-183

4

He thought that the entry team exited from the studio at about 4:00 a.m. and that all of the CIA employees were then released from their assignments. He could not recall that he went back to the Fairfax Police Department Headquarters for any kind of a critique or debriefing after they were released.

He thought that on the night of entry another Fairfax police officer, identity not recalled, remained at the door of the studio while the entry team was on the inside. He also recalled that there was a Fairfax, Virginia, Police Department car containing a Fairfax Police Department officer and CIA employee parked in the parking lot of a service station next door to the studio. He recalled that [] was the CIA employee in this car.

b3 per CIA
b6

He recalled further that sometime during this two or three month period of the surveillance the stationary photographic lookout was changed from the rooms above the empty restaurant across the street from the studio to the Odd Fellows building, which was located a few doors away.

[] was asked whether those who took part in the actual surveillance and entry had performed any other surreptitious entries in the United States in the past, and he stated that on the advice of his attorney, he would decline to answer that question.

b3 per CIA
b6

[] said that he recalled some discussion concerning an attempt by the CIA to gain entrance to the apartment of the owner of the studio in Washington, D.C., but he could not recall whether or not he actually participated in this plan.

b3 per CIA
b6

[] reported that he did not know the basis of the involvement of the Fairfax, Virginia, Police Department officers in this matter, but he assumed they were used in an act of cooperation as a jurisdictional courtesy by the CIA. He did not know whether any information produced by the CIA investigation and surveillance was passed on to the Fairfax Police Department for its own use.

b3 per CIA
b6

~~SECRET~~

~~SECRET~~

AX 44-183

5

[] stated that based on the advice of his attorney, he would decline to furnish a signed statement concerning the above information.

b3 per CIA
b6

The following physical description of [] was obtained from interview and interrogation:

b3 per CIA
b6

Name:
Sex:
Race:
Date of Birth:
Place of Birth:
Eyes:
Hair:
Complexion:
Height:
Weight:
Build:
Home Address:

Previous
Employment:



b3 per CIA
b6

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 11/7/75

[redacted] an employee of Central Intelligence Agency (CIA), was interviewed at CIA Headquarters. At the beginning of this interview he was advised by Special Agent EDWARD C. RUDIGER of the identities of the interviewing agents and of the purpose of the interview. He was also advised of his rights by SA RUDIGER. He was given a form captioned "Interrogation; Advice of Rights" which he read, said he understood and signed. b3 per CIA b6

[redacted] furnished the following information:

He is now employed as Chief, [redacted] CIA, McLean, Virginia. b3 per CIA b6

In 1971, he was employed as Special Assistant to the [redacted] There were two other employees who held the same position which he held. He was unable to recall who the Chief of his Division was in February, 1971, and pointed out that he served under four different Chiefs while he worked in that capacity. b3 per CIA b6

He did not participate in the entry of Roland Studios, 10419 Main Street, Fairfax, Virginia on February 20, 1971, nor did he participate in plans to enter that studio, or in events and plans leading up to the entry.

He had no knowledge of what the group ordering and performing the entry hoped to learn from the entry or what they actually found of significance to the investigation.

Since he had no knowledge of the entry or plans for the entry, he did not know whether those who took part in the actual surveillance and entry had performed any other surreptitious entries in the United States in the past. er

He did not participate in plans to enter [redacted] apartment in Washington, D. C., but he said he had a slight recollection that a plan to enter this apartment was discussed. b6 per FBI b7C

He had no knowledge of the involvement of the Fairfax, Virginia, Police Officers in the above entry.

Interviewed on 11/3/75 at McLean, Virginia File # AX 44-183

by SA EDWARD C. RUDIGER and SA CODY HEBER SMITH CHS:smb Date dictated 11/3/75

~~SECRET~~

AX 44-183

2

and had no knowledge as to whether or not any information obtained from the break-in was passed on to the Fairfax Police for their own use.

[] said that he had only a small part in what he thought was the investigation of [] by the Central Intelligence Agency.

b3 per CIA
b6

He pointed out that his small part took place several years ago, probably more than five years ago, and that his memory is, therefore, very vague with reference to the minute details. He added that there has been a lot of recent publicity concerning this matter, and that this publicity has confused his memory as to what he knew before and after the fact of the entry.

In February, 1971 his employment responsibility had to do with any problems pertaining to CIA personnel. S

His recollection was that several years ago (exact date not recalled) he was apprised that a problem had arisen concerning [] who was then a CIA employee. He could not recall who brought this problem to his attention. This problem concerned [] and her boy friend, who he now knows to be [].

b3 per CIA
b6 per CIA & FBI
b7C per FBI

He was given the assignment of going from CIA Headquarters in McLean, Virginia, to the CIA Washington Field Office, Washington, D. C., and briefing some CIA employees on this problem. He thought that another individual went with him, but he was unable to recall who this individual was, and he was not certain that another individual did accompany him.

He said that he has handled so many problems involving CIA employees since that time that he was not able to recall what the problem was involving []. He could not recall where the CIA Washington Field Office was located or how long the meeting lasted.

b3 per CIA
b6

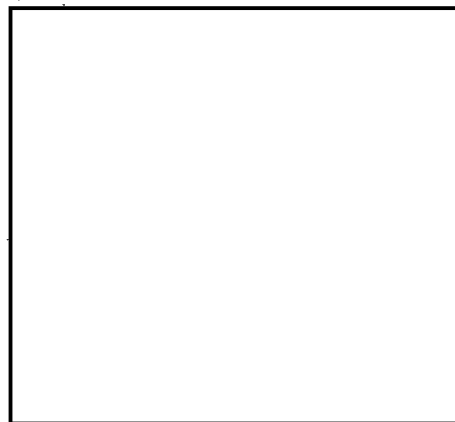
~~SECRET~~

AX 44-183

4

Address

Date of Birth
Place of Birth
Height
Weight
Build
Eyes
Hair
Complexion
Entered on Duty
CIA



b3 per CIA
b6

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 11/7/75

[redacted] was interviewed at Central Intelligence Agency (CIA) Headquarters, McLean, Virginia. At the beginning of this interview he was advised by SA CODY HEBER SMITH of the purpose of the interview and of the identity of the interviewing agents. He was also advised of his rights and was furnished a form captioned "Interrogation: Advice of Rights," which he read and signed. [redacted] furnished the following information:

b3 per CIA
b6

He was employed by the CIA in the Office of Security from 1947 to 1973.

Several years ago he was requested by his superior, Mr. HOWARD OSBORN, to accompany him on an assignment that night. He was unable to recall the day, month or year of this assignment. He recalled that on the day that Mr. OSBORN made this request, Mr. OSBORN approached him and asked him what he was doing that night. [redacted] replied that he was not busy, and Mr. OSBORN asked him to join him that night. Mr. OSBORN explained that a surreptitious entry was going to be made, and he told [redacted] that [redacted] should be familiar with entries of this type since OSBORN might be away some time in the future and [redacted] should have some experience in this matter. [redacted] explained that at this time he was the Deputy Director of Security, but he explained further that he had not had previous experience concerning surreptitious entries.

b3 per CIA
b6

When Mr. OSBORN made this request of him, he did not know anything about the case under investigation, and it had not been discussed at any staff meetings. He did not know the name or location of the place to be entered or the identity of the occupants of this place. He had not been a participant in any previous planning or discussion for this entry.

He has subsequently learned through newspaper publicity that the target of this entry was a studio which was being operated in Fairfax City, Virginia, by the boy

Interviewed on 11/6/75 at McLean, Virginia File # AX 44-183

by SA CODY HEBER SMITH
SA ROLAND M. COCKER CHS/clh Date dictated 11/7/75

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friend of [] who was then a CIA employee.

b3 per CIA
b6

Mr. OSBORN requested [] to meet him that evening on the parking lot of the Fairfax City Police Department, which he did. He was unable to recall the time that he met Mr. OSBORN, but he recalled that it was dark at that time and was after dinner and he said it could have been as late as 10:00 p.m. Mr. OSBORN gave him a briefing concerning this case and told him that the matter under investigation by the CIA pertained to a foreign agent []

b1 per CIA
b3
b6

(S) [] realized that such an allegation and investigation were very serious []

(S) [] participation in the events of that evening were primarily those of an observer so that he might obtain experience. [] asserted that even though he had served several years in the Office of Security he had never been in the investigative field previously and that he had no previous experience in matters of this type of entry.

b3 per CIA
b6

[] reported that he recalled asking Mr. OSBORN if there had been a search warrant issued for this entry, and Mr. OSBORN replied that no warrant had been issued. He then asked Mr. OSBORN if the CIA Director and the Federal Bureau of Investigation (FBI) knew about this entry, and Mr. OSBORN assured him that both the CIA Director and the FBI knew of it. Mr. OSBORN then briefed him on the code names of the agents on the job that night, and [] and Mr. OSBORN then went to the Fairfax City Police Department where they met briefly with several other individuals. He thought that there were about [] people there. The only name among the people attending mentioned by [] was that of [] another CIA employee. He did report that a high police official of the Fairfax City Police Department was present, but he declined to furnish this individual's name. His recollection was that during

b3 per CIA
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AX 44-183

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this brief meeting at the Police Department headquarters all of the individuals introduced themselves to one another. He thought the purpose of this short briefing was for him to be introduced to the individuals involved. It was obvious to him that this entry which was to be performed that night had been planned previously. It was his recollection that this meeting lasted for about ten minutes..

After this meeting, the individuals involved went to their various assignments, and he and Mr. OSBORN went to Mr. OSBORN's car and remained in the car on a parking lot at some distance from the place which was to be entered. At that time [] did not know the location or identity of the place to be entered.

b3 per CIA
b6

He and Mr. OSBORN primarily monitored the radio transmissions which were coming over the two-way radio in Mr. OSBORN's car. He was unable to recall at all how long they remained in the car, and he was not certain that night that entry had been made into the target building. His present recollection is that the individuals attempting to enter the building encountered some difficulty in trying to gain entrance.

He recalled that after a period of time, the length of time not recalled, he and Mr. OSBORN drove back to the Police Department headquarters and met with the men again. A short critique was held at that time, and he was unable to recall what was discussed at that critique. After this short critique, Mr. OSBORN drove him down a street in Fairfax City, Virginia, and pointed to a building and told him that this building had been the target of their entry that evening.

[] recalled that the following day in Mr. OSBORN's office Mr. OSBORN showed him some photographs which had been taken the night before, and [] realized at that time that entry had been made to the studio and that some photographs had been taken.

b3 per CIA
b6

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[] said he did not have any further recollection concerning this entry. He stated that he did not have any personal knowledge of any actual surveillance and entry performed by those who took part in this entry or in any other surreptitious entries in the United States in the past. He stated that he did not know or participate in any plans to enter the apartment of [] at []

b3 per CIA
b6 per CIA & FBI
b7C per FBI

[] stated that he did not know the basis of the involvement of the Fairfax police in this matter and whether any information produced by the CIA investigation and surveillance was passed on to the Fairfax police for its own use. He added that he was a little bit surprised that evening to learn that the Fairfax police were being used in this matter.

The following physical description of []
[] was obtained through interview and observation:

b3 per CIA
b6

Name:
Sex:
Race:
Date of Birth:
Place of Birth:
Social Security
Account Number:
Height:
Weight:
Hair:
Eyes:
Complexion:
Build:
Military Service:

b3 per CIA
b6

16

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/14/75

1

[redacted] an employee of the Central Intelligence Agency (CIA), McLean, Virginia, was interviewed at CIA Headquarters on Thursday, November 13, 1975. At the beginning of this interview [redacted] was advised by Special Agent SMITH of the identities of the interviewing Agents and of the purpose of the interview. He was also advised by Special Agent SMITH of his constitutional rights and he was furnished a form captioned, "Interrogation; Advice of Rights" which he read and signed. [redacted] was asked if he had consulted an attorney concerning this matter and he replied that he has contacted an attorney and discussed this matter with him; his attorney is JOHN ROGERS and his office is located in Washington, D. C. [redacted] then furnished the following information:

b3 per CIA
b6

From July, 1966, until September, 1974, he was assigned as an Investigator in the Washington Field Office of the CIA.

Sometime in 1971, exact date not recalled, he was one of several CIA employees who was assigned to conduct an investigation concerning a former CIA employee by the name of [redacted] and her boyfriend, who was a Cuban, by the name of [redacted]. He thought that this occurred in either the Spring or the Summer of 1971, but he was not sure of this. He was not in on the planning of this investigation and he assumed, but was not certain, that a meeting was held at the beginning of this investigation for the purpose of b3 per CIA furnishing information about the case to the CIA employees b6 per CIA & FBI working on it. To the best of his recollection, this investigation was conducted because [redacted] was a former b7C per FBI CIA employee who was in contact with [redacted] and [redacted] was suspected of being a Cuban Agent in the United States. He thought, but was not sure, that there was some suspicion that [redacted] was contacting other CIA employees that she knew in order to obtain information for [redacted]. [redacted] had previously served as a clerk in the Record Index Section and the CIA was very concerned that information was possibly being supplied to [redacted] through [redacted].

Interviewed on 11/13/75 at McLean, Virginia File # AX 44-183by SA CODY LEBER SMITH
SA [redacted]CHS:dlh
19Date dictated 11/14/75b6 per FBI
b7C~~SECRET~~

~~SECRET~~

AX 44-183

CHS:klh

2

He thought that this investigation lasted for a period of 2 or 3 months and during this time his assignment was to conduct a surveillance of a photographic studio operated by [] on Main Street in Fairfax, Virginia. On the surveillance, there were two CIA employees in each car. The cars were personal cars into which a two-way radio equipment had been installed and the CIA employees were using handy-talkies. The purpose of these surveillances was to determine whether or not any other CIA employees were entering or leaving this studio.

b6 per FBI
b7C

His recollection was that the results of the surveillances were negative and that no CIA employees were observed entering this studio.

After two or three months of these surveillances, some CIA Officials made the decision to enter the studio. He did not know the exact reason why they wanted to enter the studio, but he assumed that entry was being made to determine if there was anything in the studio which would verify that [] was a Cuban Agent or that he was in the possession of any CIA material.

b6 per FBI
b7C

Entry was made during the night hours and his assignment during the time of entry was to act as an observer in a car which was parked in a Food Fair parking lot a little ways away from the studio. He could not recall the time of entry, but he thought that it was sometime before midnight and that the operation that night lasted until about 1:30 a.m. He recalled that it took the employees making entry a long time to get into the studio. He later heard that those who entered the studio photographed some documents but he did not know what documents were photographed, and he never saw these photographs.

At approximately 1:30 a.m., the individuals who had entered the studio left the studio and all employees were released from their assignments.

[] stated that he preferred not to furnish the names of any CIA employees involved, other than himself

b3 per CIA
b6

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AX 44-183

CHS:klh

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in this investigation since he thought that the United States Government had the names of those who were involved.

[] stated that on advice of counsel he would decline to answer the question of whether those who took part in the actual surveillance and entry have performed any other surreptitious entries in the United States in the past.

b3 per CIA
b6

[] stated that he had not taken part in plans or in any activity to enter the apartment of [] in Washington, D. C.

b3 per CIA
b6 per CIA & FBI
b7C per FBI

He did not know why the police officials of the Fairfax, Virginia, Police Department were involved in this investigation, but he supposed that they were involved as a matter of courtesy since the studio was located within their geographical jurisdiction.

[] was asked if he would sign a statement concerning the above information and he stated that he would decline to furnish a signed statement.

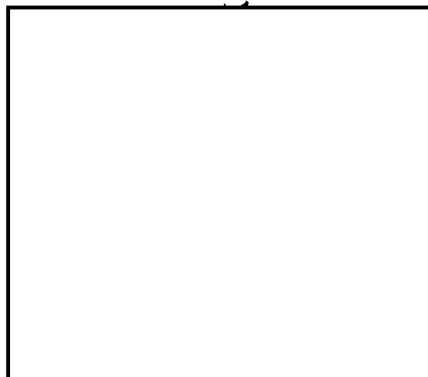
b3 per CIA
b6

The following physical description of [] was obtained through interview and observation:

b3 per CIA
b6

Name:
Sex:
Race:
Date of Birth:
Place of Birth:
Address:

Height:
Weight:
Build:
Complexion:



b3 per CIA
b6

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/11/75

I

[redacted] an employee of the Central Intelligence Agency (CIA), was interviewed at CIA Headquarters. At the beginning of this interview, he was advised by Special Agent CODY HEBER SMITH of the identities of the interviewing agents and of the purpose of the interview. His rights were also explained to him by SA SMITH and he was furnished a form entitled, "Interrogation; Advice of Rights" which he read and signed. [redacted] furnished the following information:

b3 per CIA
b6

In 1969 he was assigned to the Office of Security of the CIA and in this capacity worked in the Washington Field Office in the Liaison Section until May, 1971. The Washington Field Office at that time was located [redacted]

b1 per CIA
b3

(S)

Sometime in what he thought was the Spring of 1971, he as well as several other employees of the Washington Field Office were assigned to work on a case which involved the surveillance of a camera shop located on Main Street in Fairfax City, Virginia. These surveillances resulted in the entry of this studio on a night, two, three or four weeks after the surveillances began. He recalled that when he first received this assignment, he along with the other employees involved, attended a meeting in the Washington Field Office which was in the nature of a briefing as to this case and the assignments of the individuals working the case. The male individual who was operating the photo studio was a Cuban and [redacted] recollection is that this individual was suspected of being a Cuban intelligence agent. He pointed out that he could not recall specifically the instructions given at this meeting but he thought that CIA officials thought that a large number of CIA employees were frequenting this photographic studio and were possibly having their photographs made for their passports. He recalled further that the operator of this photographic studio had a girlfriend who was employed for CIA. He thought that the purpose of this investigation was to determine which CIA employees were frequenting the photographic studio. He thought it was emphasized to the CIA employees at this meeting that this Cuban was possibly trying

b3 per CIA
b6

Interviewed on 11/10/75 at McLean, Virginia File # AX 44-183
by SAs ROLAND M. COCKER, JR., and
CODY HEBER SMITH CHS:ljb Date dictated 11/11/75

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AX 44-183

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to obtain CIA information from his girlfriend and that this could lead to the exposure of CIA sources overseas which in turn could endanger their lives.

He thought that he and other CIA employees surveilled this studio from approximately 9:00 AM to 6:00 PM and that they were primarily intent on identifying individuals who frequented the studio. They did this by watching people come out of the studio and enter their cars and at that time, the surveillance teams obtained license numbers of the cars and thus, identified the registered owners. In addition to surveilling this studio until 6:00 PM, the CIA employees surveilled the owner until he went to bed at night. They did this for several days until they established a pattern as to the times that he went to bed.

SA SMITH asked [] if the owner of the studio was a man by the name of [] and if his girlfriend [] reported that he had forgot [] the two names but that after they were mentioned by SA SMI [] he recalled that these were the names of the two individuals principally involved. b3 per CIA b6 per CIA & FBI b7C per FBI

During these surveillances, [] rode in a CIA car which was driven by another CIA employee and it was [] job to maintain a written log of the results of their surveillances. b3 per CIA b6

He was unable to recall the day or night that the studio was entered, but he did recall that prior to the day of entry a meeting was held of all of the investigators in the Washington Field Office and they were given their assignments at that time for the time of entry. He recalled that on the night of entry, some of the employees who were conducting the surveillance verified that [] had gone to bed and gave this information to the CIA employees who were waiting on assignment in Fairfax, Virginia. On that particular night [] was assigned to sit in a Fairfax City, Virginia, Police Department car with [] of the Fairfax City Police Department. This car was located in the parking lot of the gasoline station located next-door to the photographic studio. b3 per CIA b6 per CIA & FBI b7C per FBI

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AX 44-183

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Their assignment was to stop and confront [] if in some way he did appear at his studio. At that time, [] was to tell [] that some kind of crime had occurred in his photographic studio and that investigators of the Fairfax Police Department were in the studio dusting for fingerprints.

b6 per FBI
b7C

[] had in his possession a walkie-talkie two-way radio unit and was in contact with the men who had entered the studio. His recollection was that there was some difficulty in entering the studio on the part of those individuals who were assigned this task. He could not recall what time they entered the studio, but he recalled that he was on his assignment with [] until about 4:00 AM and that he left at about that time and arrived at his home at about 5:00 AM.

b3 per CIA
b6 per CIA & FBI
b7C per FBI

After entry was made, a short meeting was held for all employees at the Fairfax, Virginia, Police Department Headquarters and a short discussion was had concerning the events of that night.

[] stated that he did not know why the Fairfax, Virginia, Police Department was involved in this break-in and did not know whether or not they were furnished results of the entry made to the studio. He stated that he knew the names of the individuals from the CIA involved in this investigation but that he was sure the Federal Bureau of Investigation (FBI) had the names of these individuals and that he preferred not to furnish the names of any individuals involved. He stated further that he preferred not to discuss any other surreptitious entries made by any of the individuals working on this investigation.

b3 per CIA
b6

[] stated he preferred not to sign a statement concerning the above information.

b3 per CIA
b6

The following physical description of [] was obtained through interview and observation:

Name:
Sex:
Race:

[]

b3 per CIA
b6

~~SECRET~~

~~SECRET~~

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Address:

Date of Birth:

Height:

Weight:

Hair:

Eyes:

Complexion:

Build:

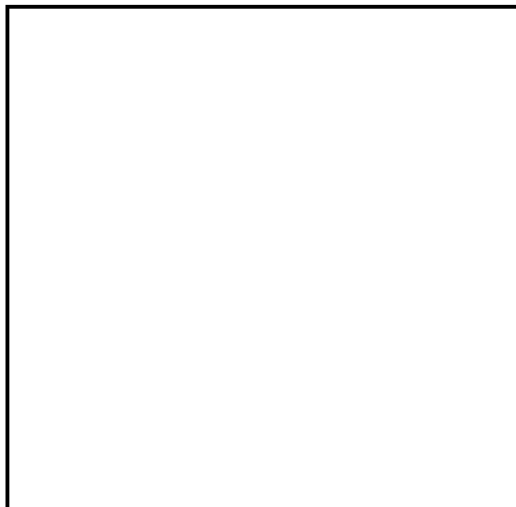
Peculiarities:

Social Security

Account Number:

Marital Status:

College Attendance:



b3 per CIA
b6

~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/19/75

1

[] an employee of the Central Intelligence Agency (CIA) was employed at CIA Headquarters in McLean, Virginia. He was interviewed in the presence of his Attorney, Mr. ROBERT S. BENNETT, 1801 K Street, Northwest, Washington, D. C. At the beginning of this interview, [] and Mr. BENNETT were advised of the identities of the interviewing Agents and of the purpose of this interview. [] Constitutional Rights were explained to him by Special Agent SMITH and he was given the form captioned, "Interrogation; Advice of Rights" which he read and signed after it was reviewed by his Attorney.

b3 per CIA
b6

[] furnished the following information:

b3 per CIA
b6

From 1966, to 1973, he was employed as an Investigator in the Washington Field Office of the CIA.

Sometime in late 1970, or early 1971, he was assigned to take part in an investigation concerning people entering and leaving a photographic studio on Main Street in Fairfax, Virginia. He did not recall the name or address of this studio. He thought that he was given this assignment in late 1970, and that this investigation continued until February, 1971, when it was terminated. He did not know who the CIA Officials were who planned this investigation, but he thought that he was on the physical surveillance of the investigation during the entire time of the surveillance. He stated that he preferred not to name the names of any other CIA employees who were involved in this investigation.

His part in this investigation was to participate in a physical surveillance of the studio from a car in which he was riding. The purpose of this surveillance was to determine the identity of visitors to the studio during the time that he conducted the surveillance. In addition to conducting surveillances of this studio, he did participate in the surveillance of the owner's apartment in Washington, D. C. This owner had a girlfriend and the girlfriend lived with her parents in Fairfax County, Virginia. The operator of the studio was a male Cuban by the name of [] and [] was

b3 per CIA
b6 per CIA & FBI
b7C per FBI

Interviewed on 11/14/75 at McLean, Virginia File # AX 44-183

by SA CODY HEBER SMITH
SA ROLAND M. COCKER, JR. CHS:klh Date dictated 11/17/75

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AX 44-183

CHS:klh

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told that there was some suspicion that [] was working for the Cuban Government of FIDEL CASTRO. He was unable to recall the name of the girlfriend of [] but it was his understanding that she was a former CIA employee and there was some question in the minds of CIA Officials as to whether or not she was obtaining information from current CIA employees with whom she had worked and if so, whether or not she was passing this information on to [].

b6 per FBI
b7C

(S) [] was unable to recall the name of the girlfriend of [] but he did recall that the code name which had been assigned to her by CIA was []. He recalled that he followed her from her home to the studio several mornings at approximately 8:30 a.m., and that she usually remained there during the working hours of the day until approximately 5:00 p.m. He further recalled that there were some nights that he conducted surveillances of her during the evening hours.

b1 per CIA
b3 per CIA
b6 per CIA & FBI
b7C per FBI

He thought that the purpose of these surveillances was to determine if any CIA employees were meeting [] or his girlfriend at this studio. An attempt was made to determine this by identifying people that left the studio through the surveillances of them to their cars and identifying them following the obtaining of their automobile license numbers.

b6 per FBI
b7C

He did not know whether anything of value was obtained from the surveillances conducted.

He recalled that after these surveillances were conducted over a period of several weeks, a decision was made by some CIA Officials to surreptitiously enter the photographic studio. He assumed that this decision to enter the studio was made in an effort to determine if any CIA information was being contained in the studio.

On the night of the entry of this studio, he was assigned along with another CIA employee to sit in a private car, which contained a CIA two-way radio, on a side street near the studio. The purpose of his assignment that night was to determine whether or not the car belonging to [] or his girlfriend was observed in the vicinity of the studio.

b6 per FBI
b7C

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AX 44-183

CHS:klh

3

He could not see the studio. He recalled that he was on this assignment from late at night until 3:00 or 4:00 a.m., the following morning. He thought that the entry team entered the studio at about midnight. He did not have radio connection with the entry team. He did not know whether or not anything of value was obtained from this entry.

[] asserted that he did not participate in making any decisions concerning the entry of this studio and that his part in this matter consisted of following orders from above by carrying out duties of a physical surveillance. He added that he did not intend to break any Federal or local laws and that there was no intention on his part to violate the Civil Rights of anyone by carrying out his duties in this investigation.

b3 per CIA
b6

[] asserted further that he did not question the legality of this entry and believed that it had been cleared with appropriate CIA Authorities and he therefore, had no reason to question its legality.

b3 per CIA
b6

[] stated that he preferred not to sign the statement containing the above information.

b3 per CIA
b6

The following physical description of [] was obtained from interview and observation:

b3 per CIA
b6

Name:
Sex:
Race:
Date of Birth:
Place of Birth:
Home Address:

Enter on Duty, CIA:
Eyes:
Hair:
Complexion:
Height:
Weight:
Build:
Military Service:

b3 per CIA
b6

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/18/75
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-a

1

[redacted] an employee of the Central Intelligence Agency (CIA) was employed at CIA Headquarters in McLean, Virginia. He was interviewed in the presence of his Attorney, Mr. ROBERT S. BENNETT. At the beginning of this interview, [redacted] and Mr. BENNETT were advised of the identities of the interviewing Agents and of the purpose of this interview. [redacted] Constitutional Rights were explained to him by Special Agent SMITH and he was given the form captioned, "Interrogation; Advice of Rights" which he read and signed after it was reviewed by his Attorney.

b3 per CIA
b6

[redacted] furnished the following information:

b3 per CIA
b6

In the year 1971, [redacted] was employed as an investigator in the Washington Field Office of the CIA. He was unable to recall the exact date or month, but some time early in 1971, (possibly January or March), he was assigned along with some other CIA employees to conduct an investigation in an attempt to determine the contacts of an individual by the name of [redacted] who was operating a Photographic Studio on Main Street in Fairfax, Virginia. When he was given this assignment, he was called into a meeting with several other CIA employees and was given a briefing as to the individuals and matter to be investigated. He pointed out that nearly five years have elapsed since this investigation took place and that his recollection is not real clear in his mind concerning all of the facets of the investigation. He thought that there were about six other CIA employees who attended the same meeting that he attended.

b3 per CIA
b6 per CIA & FBI
b7C per FBI

[redacted] stated that he would prefer not to mention the names of the other CIA employees who were connected with this investigation.

b3 per CIA
b6

At the above meeting which [redacted] attended, he was told that [redacted] was a Cuban and that he had a girlfriend who was a former CIA employee. He was told that this girlfriend was possibly obtaining CIA confidential information and passing it on to [redacted].

b3 per CIA
b6 per CIA & FBI
b7C per FBI

Interviewed on 11/14/75 at McLean, Virginia File # AX 44-183

by SA CODY HEBER SMITH
SA ROLAND M. COCKER CHS:klh Date dictated 11/15/75

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CHS:klh

2

His assignment was to conduct a physical surveillance, along with several other CIA employees, of the Photographic Studio mentioned above. He rode in a car as a passenger and as an observer. The cars were equipped with two-way radios and his assignment was to observe people leaving the Photographic Studio and to determine which car they entered and to obtain the license numbers of these cars so that the persons could be identified. He assumed that this was being done in an effort to determine whether any of the persons going into the Photographic Studio were employees of CIA. He thought that one other purpose of this surveillance was to determine if any of the above visitors to the Photographic Studio were leaking information to [redacted]

b6 per FBI
b7C

He stated that to the best of his knowledge, no CIA employees were identified as contacting [redacted]

b6 per FBI
b7C

He heard that some time in about February, 1971, a team of CIA employees entered the Photographic Studio above surreptitiously. He did not work on the day that this entry was made. He said that he assumed that the CIA hoped to learn from this entry whether or not any CIA classified information was being kept in the studio. He asserted, however, that he did not know this and that he only assumed entry was made for this purpose.

(S) [redacted] stated that he was unable to recall the name of the girlfriend of [redacted] but he recalled that during this surveillance, she was given a code name by CIA Officials and that her code name was [redacted]

b1 per CIA
b3 per CIA
b6 per CIA & FBI
b7C per FBI

[redacted] stated that he did not know what was obtained as a result of this entry into this studio.

b3 per CIA
b6

[redacted] reported that based on the advice of his counsel, he would decline to answer the question as to whether those who took part in the actual surveillance and entry, had performed any other surreptitious entry in the United States in the past.

b3 per CIA
b6

He related that he did not take part in the plans to enter the apartment of [redacted] in Washington, D. C.

b6 per FBI
b7C

He said that he did not know why the Fairfax, Virginia, Police Department, Officials were used by the CIA in this investigation, but he said that he assumed that

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AX 44-183

CHS:klh

3

the CIA did not want any interruption by the local police department at the time that they made entry into the studio.

[] asserted that he did not participate in making any decisions concerning the entry of this studio and that his part in this matter consisted of following orders from above by carrying out duties of a physical surveillance. He added that he did not intend to break any Federal or local laws and that there was no intention on his part to violate the Civil Rights of anyone by carrying out his duties in this investigation.

b3 per CIA
b6

[] asserted further that he did not question the legality of this entry and believed that it had been cleared with appropriate CIA Authorities and he therefore, had no reason to question its legality.

b3 per CIA
b6

[] stated that he preferred not to sign the statement containing the above information.

b3 per CIA
b6

The following physical description of [] was obtained through interview and observation:

b3 per CIA
b6

Name:
Sex:
Race:
Date of Birth:
Place of Birth:
Residence:

Height:
Weight:
Build:
Complexion:
Eyes:
Hair:
Marital Status:
Military Service:

Enter on Duty CIA:

b3 per CIA
b6

~~SECRET~~

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FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 11/19/75

[redacted] an employee of the Central Intelligence Agency (CIA), was interviewed at CIA Headquarters. He was interviewed in the presence of his attorney, Mr. ROBERT S. BENNETT, of the law firm of Dunnells, Spada, Duvall, and Porter, 1801 K Street, Northwest, Washington, D.C. (WDC), who was a former Assistant United States Attorney (AUSA) in WDC. In the beginning of this interview, [redacted] and Mr. BENNETT were advised by Special Agent (SA) CODY HEBER SMITH of the identities of the interviewing agents and of the purpose of this interview. SA SMITH also advised [redacted] and Mr. BENNETT of [redacted] constitutional rights and they were furnished a copy of the form captioned "Interrogation; Advice of Rights" which [redacted] read and signed. b3 per CIA b6

[redacted] then furnished the following information: b3 per CIA b6

From December, 1966, to May, 1973, [redacted] was employed as an investigator in the Washington Field Office (WFO) of the CIA, WDC. b3 per CIA b6

From sometime late in 1970 or early 1971, he worked for two or three months until February, 1971, on a surveillance of a photography studio which was located on Main Street in Fairfax, Virginia. He did not work on this investigation continuously and was assigned to this matter on an intermittent basis.

The owner of this photography studio was a man by the name of [redacted] and he had a girl friend whose name [redacted] could recall. For the purpose of this investigation, CIA had assigned her the code name of [redacted]. This girl was formerly employed by the CIA. b1 per CIA b3 per CIA b6 per CIA & FBI b7C per FBI

[redacted] was assigned to this investigation along with several other CIA employees, but he stated that he preferred not to mention the names of any other CIA employees working on this investigation. He said that when he was given this assignment, he was told that the physical surveillance of the studio was being conducted to determine if any visitors to this studio were CIA employees. The investigator conducting this surveillance attempted to identify individuals leaving the [redacted] b3 per CIA b6

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by SA CODY HEBER SMITH
SA ROLAND M. COCKER, JR. CHS/pah Date dictated 11/19/75

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AX 44-183

2

the studio by following them to their automobile and obtaining their license number from the car, and identify the owner of the car through the Virginia Department of Motor Vehicle (DMV). This information gathered in this manner was then passed on to his superiors, and he assumed that they would then determine if the visitors to the studio were CIA employees.

The investigators conducted physical surveillances of both [] and his girl friend, during the working hours of the day and during the night hours until they went to bed. b6 per FBI b7C

After these surveillances were conducted for a period of several weeks, someone decided that surreptitious entry should be made of the studio during the night hours. [] worked on the night that surreptitious entry was made, but he could not recall the date on which this occurred. He thought it took place sometime in February, 1971. His assignment on the night that entry was made was to continue a physical surveillance of the girl friend of []. He called that [] and the girl friend were lost sometime during the evening hours and that sometime before midnight, they were observed in WDC, and she was surveilled to the residence of her parents in Fairfax County, Virginia. His assignment was to physically observe her car while entry was being made and to make sure that she did not re-enter her car and go back to the studio. He said that he was in a private car which had a two-way radio equipment in it and that if this girl re-entered her car, he was to notify other cars and individuals in the vicinity of the studio so that the investigators inside the studio could be notified. b3 per CIA b6 per CIA & FBI b7C per FBI

His recollection was that this girl arrived at her residence at about midnight, and that he surveilled her car until about four or five o'clock in the morning.

[] stated he had been told that CIA Officer [] believed that [] was attempting to penetrate the CIA, that he might have CIA documents in his studio. b3 per CIA b6 per CIA & FBI b7C per FBI

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AX 44-183

3

[] asserted that he did not have any first-hand knowledge of what was obtained from the photography studio by the investigators who entered it. b3 per CIA b6

He added that CIA conducted additional surveillances of [] after entry was made to this studio for the further purpose of trying to identify any CIA employees who were possibly going to the studio. He participated in some of the surveillances. b6 per FBI b7C

[] stated that on advice of counsel, he would decline to answer the question as to any other breakins which CIA employees of this investigation may have performed. b3 per CIA b6

[] stated that he did not have any partb3 per CIA the plans to enter the apartment of [] but that he hab6 per CIA & FBI heard that such a plan was discussed. b7C per FBI

He stated that he did not know who planned this investigative matter and who planned or ordered the entry into the studio. He said that his participation in this matter was based on orders he received from his superiors and that he assumed that the authorities ordering the entry had authority to do it. He stated that he had no intent to conduct any illegal act or to violate the civil rights of []

b6 per FBI b7C

[] concluded by stating that he did not know why the Fairfax Police Department Officers were used in this investigation and whether or not CIA furnished the Fairfax, Virginia, Police Department any information obtained during the course of the investigation.

b3 per CIA b6

[] stated that on the advice of counsel, he would decline to furnish a signed statement containing the above information.

b3 per CIA b6

The following physical description of [] was obtained from interview and observation:

b3 per CIA b6

Name
Sex
Race

[]

b3 per CIA b6

~~SECRET~~

~~SECRET~~

AX 44-183

4

b3 per CIA
b6

Date of Birth
Place of Birth
Home address

Entry on Duty, CIA
Eyes
Hair
Complexion
Height
Weight
Build
Marital Status
Military Service



~~SECRET~~

~~SECRET~~

FEDERAL BUREAU OF INVESTIGATION

1.Date of transcription 11/5/75

On November 4, 1975, [redacted]

[redacted] was telephonically contacted by SA [redacted] wherein [redacted] advised that any further request for interview should be directed to his attorney, DONALD T. BUCKLIN, 910 17th Street, N. W., Washington, D. C. (telephone 872-8155).

b3 per CIA
b6 per CIA & FBI
b7C pr FBI

Interviewed on 11/4/75 at Alexandria, Virginia File # AX 44-188by SA [redacted] :krl Date dictated 11/4/75

b6 per FBI
b7C

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/6/75

On November 5, 1975, Attorney DONALD T. BUCKLIN, 910 17th Street, N.W., Washington, D.C., telephone number 872-8155, representing [redacted]

[redacted] was telephonically contacted by SA [redacted], wherein he provided the following information:

b3 per CIA
b6 per CIA & FBI
b7C per FBI

BUCKLIN advised he wanted to contact Attorney [redacted] United States Department of Justice, Civil Rights Division, to ascertain if any public documents are available which link his client to the alleged break-in. BUCKLIN wanted to examine these documents, if available, prior to advising his client on the desirability of being interviewed.

b6 per FBI
b7C

BUCKLIN stated he plans to travel to Kansas City, Missouri, in the next several days and requested he be recontacted on November 12, 1975, at which time he will advise whether or not his client will consent to be interviewed by the Federal Bureau of Investigation (FBI).

Interviewed on 11/5/75 at Alexandria, Virginia File # AX 44-183

by SA [redacted] /clh Date dictated 11/6/75

b6 per FBI
b7C

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FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 11/19/75

On November 13, 1975, Attorney DONALD T. BUCKLIN, 910 17th Street, Northwest, Washington, D. C., was telephonically contacted by Special Agent [redacted] in an effort to ascertain if [redacted] will give a statement to the Federal Bureau of Investigation (FBI). b3 per CIA b6 per CIA & FBI b7C per FBI

BUCKLIN advised he has not been able to contact Attorney [redacted] United States Department of Justice, Civil Rights Division, to discuss the possibility of the Justice Department granting immunity to his client [redacted] BUCKLIN stated that if immunity is not granted, he will advise his client to decline making a statement to the FBI. b3 per CIA b6 per CIA & FBI b7C per FBI

BUCKLIN requested he be recontacted on November 21, 1975.

Interviewed on 11/13/75 at Alexandria, Virginia File # AX 44-183

by SA [redacted] smb Date dictated 11/19/75

b6 per FBI
b7C

36

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/7/751

On Friday, October 31, 1975, [redacted] a current Central Intelligence Agency (CIA) employee, McLean, Virginia, was telephonically contacted for the purpose of arranging an interview with him. [redacted] advised that he had retained attorney, MARK W. FOSTER of the law firm of Bierbower and Rockefeller, 1625 K. Street, Northwest, Washington, D. C., telephone 347-1900, to represent him in this matter and he referred Special Agent CODY HEBER SMITH to his attorney.

b3 per CIA
b6Interviewed on 10/31/75 at Alexandria, Virginia File # AX 44-183by SA CODY HEBER SMITH:klh Date dictated 11/5/75

37

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/7/751

Mr. MARK W. FOSTER, an attorney with the law firm of Bierbower and Rockefeller, 1625 K. Street, Northwest, Washington, D. C., telephone 347-1900, was telephonically contacted on Friday, October 31, 1975.

Mr. FOSTER advised that he is the attorney for [redacted]. He stated that he had discussed this interview with [redacted] and that he was not willing to have [redacted] submitted to an interview by the Federal Bureau of Investigation unless he could be given assurance that he will not be prosecuted in this case. He stated that if [redacted] is subjected to a formal interview, that he (FOSTER) desires to be present during the interview and that at that time, he would advise [redacted] to decline to answer any questions by invoking his privileges under the 5th amendment against self-incrimination.

b3 per CIA
b6

Mr. FOSTER stated that if [redacted] can be assured by the Department of Justice that he will not be prosecuted in this case, that [redacted] will then cooperate by furnishing full details in the investigation of [redacted]. He related that [redacted] is willing to tell the facts as known to him concerning this investigation, but he has advised [redacted] not to furnish these facts unless he is assured that there will be no prosecution of him.

b3 per CIA
b6Interviewed on 10/31/75 at Alexandria, Virginia File # AX 44-182by SA CODY HEBER SMITH:klh Date dictated 11/5/75

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/7/75

[redacted] an employee of the Central Intelligence Agency (CIA), McLean, Virginia, was telephonically contacted on November 4, 1975, for the purpose of arranging a time for him to be interviewed concerning this matter. [redacted] advised that he has retained an attorney, STEPHEN GRAFMAN, 2000 L Street, N.W., Washington, D.C., of the law firm of Hill, Christopher and Phillips as his attorney, and he referred SA SMITH to Mr. GRAFMAN.

Steph - 11/7/75

b3 per CIA
b6Interviewed on 11/4/75 at Alexandria, Virginia File # AX 44-183by SA CODY HEBER SMITH/clh Date dictated 11/7/75

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/7/75

Mr. STEPHEN W. GRAFMAN, of the law firm of Hill, Christopher and Phillips, 2000 L Street, N.W., Washington, D.C., telephone number 452-7000, was telephonically contacted and was advised that SA SMITH had been referred to him by [REDACTED]. Mr. GRAFMAN stated that he is representing [REDACTED] in this investigation and that his inclination at that time was to advise [REDACTED] not to answer any questions concerning this inquiry by the Federal Bureau of Investigation (FBI). He stated, however, that he desired to think this matter over for a few days and that he would furnish SA SMITH a final answer as to his advice to his client on or before Friday, November 7, 1975.

b3 per CIA
b6Interviewed on 11/4/75 at Alexandria, Virginia File # AX 44-183by SA CODY HEBER SMITH/clh Date dictated 11/7/75

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/7/75

Mr. STEPHEN W. GRAFMAN, of the law firm of Hill, Christopher and Phillips, 2000 L Street, N.W., Washington, D.C., telephone number 452-7000, was telephonically contacted on November 7, 1975, concerning his decision as to the interview of [redacted] Mr. GRAFMAN stated that after due consideration b3 per CIA he had decided to advise [redacted] not to answer any questions b6 asked him by the Federal Bureau of Investigation (FBI) and that if he were interviewed by the FBI to invoke his privilege against self-incrimination as provided by the Fifth Amendment by not answering any questions.

Interviewed on 11/7/75 at Alexandria, Virginia File # AX 44-183

by SA CODY NEBER SMITH/clh Date dictated 11/7/75

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FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 11/7/75

[redacted] an employee of the Central Intelligence Agency (CIA), McLean, Virginia, was telephonically contacted on November 5, 1975, for the purpose of making an appointment to interview him. [redacted] stated that he had retained counsel, and he referred SA SMITH to his attorney, Mr. MARK W. FOSTER of the law firm of Bierbower and Rockefeller, 1625 K Street, N.W., Washington, D.C., telephone number 347-1900.

b3 per CIA
b6

Interviewed on 11/5/75 at Alexandria, Virginia File # AX 44-183

by SA CODY HEBER SMITH/clh Date dictated 11/7/75

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FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 11/7/75

Mr. MARK W. FOSTER of the law firm of Bierbower and Rockefeller, 1625 K Street, N.W., Washington, D.C., telephone number 347-1900, was telephonically contacted at the above telephone number on November 5, 1975, for the purpose of discussing with him the interview of [] an employee of the Central Intelligence Agency (CIA).

b3 per CIA
b6

Mr. FOSTER advised that he had discussed this matter with [] and that he was advising [] not to submit to an interview by the Federal Bureau of Investigation (FBI) and that if he were to be questioned by the FBI that he should decline to answer any questions as provided by his right under the Fifth Amendment.

b3 per CIA
b6

Interviewed on 11/5/75 at Alexandria, Virginia File # AX 44-183

by SA CODY HEBER SMITH/clh Date dictated 11/7/75

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/7/751

[redacted] a current employee of the Central Intelligence Agency (CIA) at McLean, Virginia, was telephonically contacted on Friday, October 31, 1975, for the purpose of making an appointment with him to interview him. [redacted] stated that he had consulted with his attorney on the previous Wednesday concerning this interview and that he planned to meet with his attorney again on Saturday, November 1, 1975, and that he would advise on Monday, November 3, 1975, the results of his discussion with his attorney concerning his interview.

b3 per CIA
b6

On Tuesday, November 4, 1975, [redacted] was contacted telephonically and he advised that he had discussed his interview with his attorney, STEPHEN GRAFMAN, 2000 L. Street, Northwest, Washington, D. C., telephone 452-7000. [redacted] stated that he desired that his attorney be contacted concerning this proposed interview.

b3 per CIA
b6Interviewed on 10/31/75 at Alexandria, Virginia File # AX 44-183by SA CODY HEBER SMITH:klh Date dictated 11/5/75

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/7/75

1

Mr. STEPHEN W. GRAFMAN, an attorney in the law firm Hill, Christopher, and Phillips, 2000 L. Street, Northwest, Washington, D. C., telephone 452-7000, was telephonically contacted on Tuesday, November 4, 1975, concerning the interview of [] and of [] both current employees of the Central Intelligence Agency (CIA). Mr. GRAFMAN stated that at that time, he had not decided whether or not to make his clients, [] and [] available for interview by the Federal Bureau of Investigation (FBI). He stated that he desired to think this matter over for a few days, but that his inclination at that time was to have both of his clients decline to furnish any information to the FBI by invoking their privileges under the 5th amendment against self-incrimination.

b3 per CIA
b6

Mr. GRAFMAN stated that he would advise Special Agent CODY HEBER SMITH on or before Friday, November 7, 1975, as to his final decision concerning whether or not he would allow [] or [] to answer questions to representatives of the FBI.

b3 per CIA
b6

Interviewed on 11/4/75 at Alexandria, Virginia File # AX 44-183

by SA CODY HEBER SMITH:klh Date dictated 11/5/75

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/7/75

Mr. STEPHEN W. GRAFMAN of the law firm of Hill, Christopher and Phillips, 2000 L Street, N.W., Washington, D.C., telephone number 452-7000, was telephonically contacted on November 7, 1975, concerning his decision as to the interview of [redacted] Mr. GRAFMAN stated that after due consideration he had decided to advise [redacted] not to answer any questions asked him by the Federal Bureau of Investigation (FBI) and that if he were interviewed by the FBI to invoke his privilege against self-incrimination as provided by the Fifth Amendment by not answering any questions.

b3 per CIA
b6Interviewed on 11/7/75 at Alexandria, Virginia File # AX 44-183by SA CODY HEBER SMITH/clh Date dictated 11/7/75

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/7/75

[] an employee of the Central Intelligence Agency (CIA), McLean, Virginia, was telephonically contacted on November 5, 1975, for the purpose of setting up a time for him to be interviewed. [] advised that he has consulted an attorney concerning his interview and that his attorney is Mr. PHILLIP KELLOG of the office of Kellog, Williams and Lyons, 1776 F Street, N.W., Washington, D.C., telephone number 785-8292. b3 per CIA b6

[] stated that upon advice of counsel, he would decline to answer any questions or to be interviewed by the Federal Bureau of Investigation (FBI) at this time. b3 per CIA b6

Interviewed on 11/5/75 at Alexandria, Virginia File # AX 44-183

by SA CODY HEBER SMITH/clh Date dictated 11/7/75

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/11/75

[redacted] an employee of the Central Intelligence Agency (CIA), McLean, Virginia, was telephonically contacted on Friday, November 7, 1975, for the purpose of arranging a time for him to be interviewed. [redacted] reported that he is represented by attorney STUART STILLER of the law firm of Stiller, Adler, and Schwartz, 1725 K Street, Northwest, Washington, D.C., telephone number 331-7530. He referred SA CODY HEBER SMITH to his attorney.

b3 per CIA
b6Interviewed on 11/7/75 at Alexandria, Virginia File # AX 44-183by SA CODY HEBER SMITH/pah Date dictated 11/10/75

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/11/75

Mr. STUART STILLER, an attorney with the law firm of Stiller, Adler, and Schwartz, 1725 K Street, Suite 801, Washington, D. C., telephone 331-7530, was telephonically contacted on Friday, November 7, 1975. He was advised that he was being called since SA CODY HEBER SMITH had contacted [redacted] b3 per CIA
[redacted] to set up an interview with [redacted] b6
time [redacted] at which referred SA SMITH to Mr. STILLER.

Mr. STILLER stated that he has discussed this matter with [redacted] and that he has advised [redacted] ncb3 per CIA
to make a statement to the Federal Bureau of Investigation (FBI) b6
and that if he is interviewed by the FBI, to refuse to answer any questions in accordance with his privileges against self-incrimination as guaranteed by the Fifth Amendment.

Interviewed on 11/7/75 at Alexandria, Virginia File # AX 44-183
by SA CODY HEBER SMITH: pah/smb Date dictated 11/10/75

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/11/75

[redacted] an employee of the Central Intelligence Agency (CIA), McLean, Virginia, was telephonically contacted on Friday, November 7, 1975, for the purpose of arranging a time for him to be interviewed. [redacted] reported that he is represented by attorney STUART STILLER of the law firm of Stiller, Adler, and Schwartz, 1725 K Street, Northwest, Washington, D.C., telephone number 331-7530. He referred SA CODY HEBER SMITH to his attorney.

b3 per CIA
b6

interviewed on 11/7/75 at Alexandria, Virginia File # AX 44-180

by SA CODY HEBER SMITH/pah Date dictated 11/10/75

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/11/75

Mr. STUART STILLER, an attorney with the law firm of Stiller, Adler, and Schwartz, 1725 K Street, Suite 801, Washington, D. C., telephone 331-7530, was telephonically contacted on Friday, November 7, 1975. He was advised that he was being called since SA CODY HEBER SMITH had contacted [] to set up an interview with [] at which time [] referred SA SMITH to Mr. STILLER.

b3 per CIA
b6

Mr. STILLER stated that he has discussed this matter with [] and that he has advised [] not to make a statement to the Federal Bureau of Investigation (FBI) and that if he is interviewed by the FBI, to refuse to answer any questions in accordance with his privileges against self-incrimination as guaranteed by the Fifth Amendment.

b3 per CIA
b6

Interviewed on 11/7/75 at Alexandria, Virginia File # AX 44-183

by SA CODY HEBER SMITH: pah/smb Date dictated 11/10/75

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/19/75

[redacted] an employee of Central Intelligence Agency (CIA), was telephonically contacted for the purpose of arranging an interview with him concerning the investigation conducted by CIA in Fairfax, Virginia, of a photography studio there. [redacted] advised that he has retained a lawyer concerning this matter. He said that this lawyer is THOMAS GREEN, 1700 Pennsylvania Avenue, Suite 300, Washington, D.C., telephone number 223-3800. Mr. GREEN is from the law firm of Ginsberg, Feldman, and Bress. [redacted] said that THOMAS GREEN has advised him not to make any statements to the Federal Bureau of Investigation (FBI) concerning this matter and that he was therefore declining to be interviewed by the FBI based on his attorney's advice.

b3 per CIA

b6

interviewed on 11/14/75 at Alexandria, Virginia File # AX 44-183by SA CODY HEBER SMITH/pah Date dictated 11/19/7552. 

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/19/75

[redacted] an employee of the Central Intelligence Agency (CIA), was telephonically contacted on November 7, 1975, for the purpose of arranging time for an interview with him. He stated that he has retained an attorney, LARRY SCHWARTZ, of the law firm of Stiller, Adler, and Schwartz, Washington, D.C., telephone number 331-7530.

b3 per CIA
b6

[redacted] said he has contacted his attorney and has a meeting with him on Monday, November 10, 1975, to discuss this matter. He said that following this meeting he would advise SA CODY HEBER SMITH of the results of this discussion with his attorney.

b3 per CIA
b6

On November 11, 1975, [redacted] advised that he desired SA SMITH to contact his attorney concerning this interview.

b3 per CIA
b6

Interviewed on 11/7/75, 11/11/75 Alexandria, Virginia File # AX 44-188

by SA CODY HEBER SMITH/pah Date dictated 11/17/75

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/19/75

Mr. LARRY SCHWARTZ, an attorney of the law firm of Stiller, Adler, and Schwartz, Washington, D.C., telephone number 331-7530, was telephonically contacted at the request of [redacted] of the Central Intelligence Agency (CIA) for the purpose of discussing with him the interview of [redacted].

b3 per CIA
b6

Mr. SCHWARTZ stated that he had discussed this matter with his client, [redacted] and that he had advised [redacted] not to make a statement to the Federal Bureau of Investigation (FBI) and that if he is interviewed by the FBI, to decline to answer any questions concerning his part in the CIA investigation conducted in Fairfax, Virginia, of the photography studio there. He said that he was advising [redacted] not to make any statements and to invoke his privileges against self-incrimination of the Fifth Amendment.

b3 per CIA
b6

Mr. SCHWARTZ further advised that he also represents [redacted], another CIA employee involved in this matter, and that he has given [redacted] the same advice that he gave [redacted].

b3 per CIA
b6

Interviewed on 11/12/75 at Alexandria, Virginia File # AX 44-183

by SA CODY HEBER SMITH/pah Date dictated 11/18/75

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/21/75

[redacted] an employee of the Central Intelligence Agency (CIA), was telephonically contacted on November 20, 1975, for the purpose of arranging an interview with him concerning his part in the investigation by CIA of the photography studio in Fairfax, Virginia, in 1971.

b3 per CIA
b6

[redacted] stated that he has consulted an attorney concerning this interview and that his counsel has advised him not to make any statements concerning this case.

b3 per CIA
b6

Interviewed on 11/20/75 at Alexandria, Virginia File # AX 44-183

by SA CODY HEBER SMITH/pah Date dictated 11/21/75

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/21/75

[redacted] an employee of the Central Intelligence Agency (CIA), was telephonically contacted on November 20, 1975, for the purpose of arranging an interview with him concerning his part in the investigation by CIA of the photography studio in Fairfax, Virginia, in 1971.

b3 per CIA
b6

[redacted] advised that he has retained an attorney concerning this matter and that his attorney is Mr. HENRY F. FIEDLER, Vienna, Virginia, telephone number 938-7002.

b3 per CIA
b6

[redacted] requested that Special Agent (SA) CODY HEBER SMITH contact his attorney concerning this matter.

b3 per CIA
b6

Interviewed on 11/20/75 at Alexandria, Virginia File # AX 44-183

by SA CODY HEBER SMITH/pah Date dictated 11/21/75

56

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/21/75

Mr. HENRY F. FIEDLER, Vienna, Virginia, telephone number 938-7002, who represents [redacted] an employee of the Central Intelligence Agency (CIA), was telephonically contacted.

b3 per CIA

b6

Mr. FIEDLER was advised that [redacted] had requested Special Agent (SA) CODY HEBER SMITH contact him concerning the possibility of the Federal Bureau of Investigation (FBI) interviewing [redacted] concerning his participation in the CIA investigation. Mr. FIEDLER stated that he had no objection to [redacted] being interviewed but that he preferred to be present during the interview. It was arranged with Mr. FIEDLER for [redacted] to be interviewed in Mr. FIEDLER's presence at CIA Headquarters, McLean, Virginia on December 1, 1975, at 11:00 a.m.

b3 per CIA

b6

(S) Mr. FIEDLER related that he also represents [redacted] an employee of the CIA who works in [redacted]. An arrangement was made with Mr. FIEDLER for [redacted] to be interviewed in the presence of Mr. FIEDLER on December 1, 1975.

b1 per CIA

b3

b6

Interviewed on 11/20/75 at Alexandria, Virginia File # AX 44-183

by SA CODY HEBER SMITH/pah Date dictated 11/21/75

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/19/75

[redacted] an employee of Central Intelligence Agency (CIA), was telephonically contacted on Tuesday, November 18, 1975, for the purpose of arranging an interview with him. [redacted] b3 per CIA
[redacted] stated that he has retained an attorney, SAM MARKOVITZ, b6
7826 Eastern Avenue, Silver Spring, Maryland, telephone number
829-1313, concerning this matter. He referred Special Agent (SA)
CODY HEBER SMITH to Mr. MARKOVITZ.

Interviewed on 11/18/75 at Alexandria, Virginia File # AX 44-183

by SA CODY HEBER SMITH/pah Date dictated 11/19/75

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FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 11/19/75

Mr. SAM MARKOVITZ, 7826 Eastern Avenue, Silver Spring, Maryland, telephone number 829-1313, telephonically contacted Special Agent (SA) CODY HEBER SMITH on November 19, 1975, and advised that he represents [] an employee of the Central Intelligence Agency (CIA). Mr. MARKOVITZ stated that he has discussed this matter with [] and that in his opinion, [] participation in the CIA investigation in Fairfax, Virginia, was very peripheral, and that he had no objection to [] being interviewed by the Federal Bureau of Investigation (FBI). He stated; however, that he desired to be present during any interview.

b3 per CIA

b6

An appointment was made to interview [] in the office of Mr. MARKOVITZ at 10:30 a.m. on Tuesday, November 19, 1975.

b3 per CIA

b6

Mr. MARKOVITZ subsequently advised on November 19, 1975, that he had contacted [] concerning being interviewed on November 25, 1975. He said that [] will be out of town on that date and would be away for several days, not returning until December 5, 1975. Mr. MARKOVITZ requested that this interview be conducted at 10:30 a.m. on Tuesday, December 9, 1975, and the interview was set for that time and date.

b3 per CIA

b6

Interviewed on 11/19/75 at Alexandria, Virginia File # AX 44-183

by SA CODY HEBER SMITH/pah Date dictated 11/19/75

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AX 44-183

[redacted] Office of General Counsel,
Central Intelligence Agency, advised on November 19, 1975
that he has consulted with Departmental Attorney [redacted] b1 per CIA
about excusing CIA employees [redacted] b3 per CIA
[redacted] and [redacted] from being interviewed b6 per CIA & FBI
(S) This request is being made since [redacted] is currently in b7C per FBI
[redacted] and the other three individuals are scattered throughout
the United States and will have to be brought back to headquarters
and provided counsel if they are to be interviewed.

On November 25, 1975, [redacted] Security b3 per CIA
Division, CIA, advised on November 25, 1975 as follows: b6

[redacted] has retained Attorney BARRY E. COHEN. b3 per CIA
He is in consultation with this attorney. b6

[redacted] has retained Attorney ROBERT S. BENNETT b3 per CIA
and is to meet with him on December 1, 1975. b6

[redacted] is to meet with his attorney on b3 per CIA
December 8, 1975. b6

[redacted] has retained Attorney WILLIAM TAYLOR b1 per CIA
(S) and is meeting with him on December 2, 1975. [redacted] works b3
for CIA in [redacted] b6

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~~SECRET~~

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